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THE

PARLIAMENTARY

DEBATES,

New Series,

VOL. XVII.
The Parliamentary Debates:

Forming a continuation of the work entitled

"The Parliamentary History of England, from the Earliest Period to the Year 1803."

Published under the superintendence of

T. C. Hansard.

New Series;
Commencing with the Accession of George IV.

Vol. XVII.
Comprising the period from
The Twenty-Third Day of March, to
The Second Day of July, 1827.

London:
Printed by T. C. Hansard at the Patent printers's Press,
For Baldwin and Cradock; J. Booker; Longman, Rees, Orme, and Co.;
J. M. Richardson; Parbury, Allen, and Co.; J. Hatchard and Son;
J. Ridgway; E. Jeffrey and Son; J. Rodwell; R. H. Evans; Budd and Calkin; J. Booth; and T. C. Hansard.

1828.
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PARLIAMENTARY DEBATES.
HOUSE OF LORDS.
Friday, March 23, 1827.

ROMAN CATHOLIC CLAIMS.] Lord King had several Petitions to present from that people, who stated themselves to be the most wretched, the most ill-used, and the most oppressed, people in Europe; namely, the Irish Roman Catholics. Wretched, however, as they were, he did not think there was any hope of removing their grievances; for, as the noble and learned lord on the wool-sack had really stated, this House had repeatedly rejected every specific proposition, and the other House had come to a sweeping resolution not to listen to or consider their complaints. It had been stated that there was a great deal of harmony, good-will, and friendly feeling in Ireland. Yes, he believed there was just as much harmony and good-will as there was between oil and vinegar. The antagonist principle was in great force in that unfortunate country. Landlords were set against their tenants. The population were against the property of the country. The parsons were against the priests; and hatred existed in every possible shape. He did not know what was to be the future plan of government with respect to Ireland. No one had ventured to point out what government intended to do; but when they should bring forward a plan, what was to be “the instrument?” to use a Cromwellian phrase. The instrument of government, he believed, would be the cannon, that *ultima ratio* of Protestant ascendancy. The Catholics thought Protestantism a job in Ireland, established by a variety of laws, the worst of which was by far the Select-vestry act. The Protestants thought that the Catholic religion was idolatrous: so that one part of the community considering as imposture the religion of the other part, and the other part of the community considering the established religion to be a job, was what he considered to be a pretty state of things. The noble lord then presented petitions from the town and vicinity of Wexford, against the Select-vestry act, and in favour of Roman Catholic emancipation.

The Duke of Buckingham said, he gave the noble lord credit for the sincerity of his efforts, but he could never admit that the manner in which he made those efforts was at all calculated to allay the feeling of irritation, or to produce the effect which he wished to produce. He never could hear it quiet stated, that there was no hope for the Roman Catholics. He not only hoped, but was convinced that the measure which was the object of the noble lord’s efforts must, at no distant day, be granted.

Lord King said, he had not stated anything with regard to the hopes of the Catholics. All he had said was, that he himself entertained no hope whatever of their cause. If he looked to the late decision of the other House, he should find it far less conciliating than any thing that had fallen from him on this subject.

Ordered to lie on the table.
House of Commons.

Friday, March 23.

Breach of Privilege.] Mr. Hart Davis rose to call the attention of the House to a subject, which was connected, in some measure, with its privileges. The hon. member held in his hand "The Times" paper of this day. He said, it was therein stated, that in the course of the debate of last night, a gallant colonel opposite had said, that "if he had been so disposed, he could have placed before the House some transactions in which he (Mr. H. Davis) had been concerned, which might bring a blush into his cheek." These, if not the exact words, were very like those used by the gallant colonel. Now, either the gallant colonel was acquainted with some circumstance of his life which deserved the terms in which he had spoken of him; or he had used those terms in consequence of the excitement to which debates in that House sometimes gave rise. He hoped, in the former case, the gallant colonel would, in justice to himself, state if he knew any such dis-graceful facts; and if not, he trusted the gallant colonel would say that he had been betrayed, by the warmth of the debate, into expressions which he would not otherwise have made use of.

Mr. Caufraft objected, that the contents of a newspaper should be quoted as an authority upon such a subject in that House.

Mr. Hart Davis said, he was obliged to take some steps in the matter, and he should, therefore, move that the printer of "The Times" be ordered to attend at the bar of the House.

Colonel Davies said, he was ready to admit that he had used the words attributed to him, under very considerable excitement. That excitement was caused by what he considered a very irregular mode pursued by the hon. member, in alluding to circumstances wholly foreign to the matter then before the House. He had no hesitation in saying, that any thing which might have fallen from him in the heat of debate was not intended by him to hurt the feelings of the hon. member, and he trusted that what he now said would be perfectly satisfactory to the House and to everybody else.

Mr. Hart Davis expressed himself satisfied with the explanation, and offered to withdraw his motion.

Court of Chancery Bill.

The Speaker said, that the motion not having been seconded, this was not necessary. He was extremely glad of what had now been stated by both the hon. members. Of all the breaches of privilege which the House were called upon to punish in persons out of the House, none were so difficult to deal with as those which arose from a breach of the rules within the House. He thought the matter would rest very well as it now stood; but he trusted the House would permit him to remind it, that any deviation from the rules of debate was liable to produce misunderstandings, and to give offence often when it was by no means the intention of any party that offence should be given.

Court of Chancery Bill.] The Master of the Rolls moved the further consideration of the report of this bill.

Mr. Abercromby hoped the right hon. and learned gentleman would not press the proceedings on this bill in the absence of so many hon. and learned gentlemen, now on the circuit, who had taken a deep interest in the measure, and who were best qualified to judge of its practical effects. The Master of the Rolls said, he had no desire whatever to press the bill in the absence of those who might wish to express their sentiments upon it. If, however, the second reading was deferred until after Easter, he feared it would be too late in the session to forward its necessary stages through the other House.

Mr. Abercromby could not see that there was any ground for apprehending such a result. Ample time, he conceived, would be afforded to the bill, if the second reading was deferred until after the holidays. He did not think that his learned friends, now attending their duty elsewhere, would be fairly treated, if they were not allowed an opportunity of expressing their opinions upon this bill before it passed into a law.

Mr. M. A. Taylor hoped that the right hon. and learned gentleman would yield to the suggestion thrown out, and consent to postpone the measure.

The Master of the Rolls said, that the only object he had in view, was to render the bill as perfect as possible, and that every information should be given upon the subject. He had no wish to derive any benefit from the absence of any hon. members; but he thought that, on other grounds, he ought to be acquitted of all
blame. The commission upon the Court of Chancery had sat for two years, and the report of that commission had been two years upon the table of the House. Last session, he had moved for leave to bring in a bill, grounded upon that report; which had been abandoned. It was, however, well known, both to the House and to the profession, that the bill was founded upon the report, and he had already given an explanation upon that point. On the very day that he had taken his seat this session, he had given notice of his intention to bring in this bill, and when he did so, he had expressly stated to the House, that he did not act solely upon his own opinions, but upon the report which had been laid before the House.

Gentlemen, therefore, had had every opportunity of considering the subject, not only with respect to its principle, but its entire details. So far was he from wishing to act otherwise, that when he brought in the bill, he had gone out of his way and got the principal parts of it printed and circulated amongst the members of the profession. They had now been a fortnight in the hands of members, and the House was in full possession of every thing which was necessary to be known. He was aware, however, that he must sometimes give way, not only to what was just and necessary, but to prejudice; and he should feel extremely sorry, that misrepresentations should go abroad, which would be the case, if he shewed any disposition to have the bill passed, without allowing every opportunity for discussion. He was desirous, as far as possible to guard against misrepresentation; and desirous, also, as well to promote the public advantage as to accede to the wishes that had been expressed upon the subject. He would postpone the further consideration of his bill to an early day after the recess; but he hoped that, when it was brought forward, every facility would be given to its progress, lest, if it should be brought into the other House at a late period of the session, that circumstance should afford the means of completely frustrating the measure. He feared there might be found those who were not very cordial supporters of the bill; and it might be alleged, that a measure of such vital importance should not be brought before the legislature, at a period when there was not a sufficient opportunity for its due consideration. The right hon. gentleman concluded by postponing his motion to the 4th of May.

Sir John Newport was surprised to hear any apprehension expressed respecting the probable fate of that bill in the other House. Mr. M. A. Taylor said it was immaterial whether the measure was postponed or not, as he doubted whether any benefit would result from it. Those who were at all acquainted with the business of the court of Chancery, knew right well that this bill was made use of as a tub to catch the whale. After the very little that had been done heretofore, he hoped hon. members would not place much reliance on any promises that might be made with respect to the effect of this bill on the proceedings of the court.


Penryn Election—Commitment of John Stanbury.] The Speaker said, he had to announce to the House, that the sergeant-at-arms had taken into custody John Stanbury. Mr. Wynn moved "That the order of the House of yesterday, on this subject, be discharged." The clerk then read the order of the House, that an Address be presented to his majesty, praying him to issue his proclamation for the apprehension of John Stanbury. The order was discharged.

Mr. Wynn moved, "That John Stanbury, having absconded in order to avoid being taken into custody, pursuant to the order of the House, be for the said offence committed to his majesty's goal of Newgate, and that the Speaker do issue his warrants accordingly."

Mr. Hume thought that, previously to coming to any such resolution, the individual should be called in, and heard, if he had any valid excuse to offer.

Mr. Wynn said, that a report of an election committee had already declared, that he had absconded to avoid being served with a process to attend as a witness before that committee; and he had again absconded to avoid being taken into custody. There was a precedent for this course in a case that occurred six or seven years ago. If he had any explanation to offer, the regular way would be to do so by petition.

Mr. Hume said, that the evidence on which the warrant was issued was ex parte, and he thought an opportunity ought to be given to explain. He would not, however, press his objection.

The motion was agreed to.
GALWAY ELECTION — BREACH OF PRIVILEGE.] On the motion of Mr. Wynn, the order of the day was read for the attendance of Mr. French and Mr. Lambert at the bar. The right hon. gentleman suggested, that, as a charge had been made against Mr. French, that gentleman should be first called, that he might have an opportunity of explaining. Mr. French having been called in, the Speaker addressed him as follows: "Mr. French, I have to acquaint you, that yesterday a petition was presented to this House on the part of Mr. Thomas Lambert, complaining of conduct on your part towards him in the lobby of the House. The House is anxious to know whether you have any observations which you wish to offer to its consideration with reference to this subject?"

Mr. French said, that some of his friends had already informed him that he had said that which was considered offensive to the House. If he had done so, he assured the House that he was sorry for it, and that it was under the influence of very strong feeling. Here the hon. gentleman paused for a moment, evidently much affected.

Mr. Secretary Peel said, he believed the gentleman at the bar did not fully understand the object of what the Speaker had addressed to him. The object was, that he should state the facts as they occurred to him and not to offer any apology.

Mr. French then proceeded for a few minutes, but not a word of what he said was audible in the gallery. He appeared to be very much affected, and at last was unable to proceed.

There were now several cries of "withdraw," and the Speaker having intimated to Mr. French that he might retire,

Mr. Wynn said, that, under the feelings which the gentleman had evinced at the bar, he hoped it would be deemed that sufficient had now been done. At the same time he trusted that what had been done would be an example to others, that the House would, upon all occasions, be ready to extend its protection equally to all persons whom it might call before it as witnesses. He then moved, "That Mr. French and Mr. Lambert be discharged from any further attendance."

The motion was agreed to.

CORN LAWS.] Mr. C. Grant moved the order of the day for bringing up the Report of the Committee on the Corn Trade Acts. On the question that the report be brought up,

Lord Althorp said, that a mistake had gone abroad, arising out of a misrepresentation of what had fallen from him during one of the early discussions on this subject, which he was anxious to correct. It would be in the recollection of the House, that on the second day of the discussion, he had stated that he was happy to inform the House, that, at the last market-day in Northampton, his constituents had generally expressed themselves in favour of the propositions of ministers with respect to the Corn-laws. This was what he had said; but he had been represented to have stated, that at a meeting of his constituents at Northampton on the last market-day, they had agreed to resolutions approving of the proposition of ministers on those laws. This he had not said; for nothing of the kind had happened. He had only stated what he had understood to be the opinions of his constituents; but it was fair to state, that their opinions on the propositions of ministers had since undergone a change on this subject, because, in all the discussions they had not been made acquainted with the real merits of the question.

Mr. Denison wished to put a question to the right hon. gentleman, which he had asked on a former occasion, but which had not received an answer. He wished to know, whether the singular anomaly of taking the averages in the Winchester measure, and buying and selling according to the Imperial measure, were still to continue?

Mr. C. Grant assured the hon. gentleman that his not having answered his question proceeded from no want of courtesy to him, but was wholly accidental. With regard to the measures, the Winchester measure was that in which the averages were already taken by the existing acts; and, as no mention was made of any other measure in the resolutions before the House, it would of course continue.

Mr. Denison.—So that you take the averages with one kind of measure, and buy and sell with the other.

Mr. C. P. Thompson was anxious to call the attention of the House to the strange anomaly which this course would involve. In Mark-lane and other markets the imperial measure was generally used for buying and selling corn. Why, he
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asked, might not the same measure be used for all the other purposes connected with this trade? If it made the difference of the fraction of a farthing in the amount of the duties, he would not press it; but as it made none, he hoped that, for the sake of convenience and uniformity, the one measure would be adopted in all cases.

The Chancellor of the Exchequer begged to remind hon. gentlemen, that it was impossible, from the prescribed forms of the House, that any alteration could be made in the measure at its present stage. It was in the committee that any proposition to that effect must be originated. Any discussion, therefore, upon that point, must at present be premature and irregular.

Mr. Baring thought that the law ought not to be framed on the Winchester measure, whilst the averages were to be calculated by the Imperial measure, inasmuch as it would lead to infinite confusion and inconvenience. He repeated the recommendation which he had suggested on a former night; namely, that it would be better to raise the standard price to 62s., and use the Imperial measure, than to leave it as it now was at 60s., and use the Winchester measure.

The Chancellor of the Exchequer denied that any inconvenience would arise from the system embraced by the resolutions. As a proof of what he said, he referred to what had occurred since the issuing of the orders in council of the 1st of September last. Since that time a million of quarters had been imported, and the practical man had felt no inconvenience from calculating the duty upon it by the old measure.

Mr. Calcraft contended, that the inconvenience of the system would be felt in the home and not in the foreign trade. He thought that it would be best to revert to the Winchester measure. If the standard were taken by the Imperial measure at 62s., it would be considered in the country as an additional boon of two shillings granted to the landed interest.

Sir G. Clark differed from the hon. member for Wareham, upon the question of making 62s. the standard price on which the averages ought to be calculated. If the act of parliament distinctly stated the object of the advance of 2s., he was sure the people would never mistake it. He thought the House ought to adhere to the Imperial measure, as it would save them from the confusion created by frequent changes. The hon. baronet went on to speak of the very great confusion that had existed with regard to measures, before the act for the Imperial measure was passed, and of the advantages which had been gained by regulating the standard. If any other measure than the Imperial was in any way recognized in an act of parliament, it would operate as a virtual repeal of the act which had introduced it. He should be sorry to see such an event take place. To avoid such an evil, he should prefer adopting the proposition for an advance of 2s. on the calculations made on the Imperial measure; which he anxiously wished to preserve.

Mr. Davies Gilbert also made some observations on the confused state in which the commissioners had found the measures in the Exchequer. He agreed that no inconvenience might arise from departing from it among merchants who had large dealings; but he was afraid that inconvenience would arise among uninformed persons, who were not so well able to calculate the difference between the Imperial and the Winchester measure. He thought that 62s. should be fixed as the standard from which the duties rose and fell, and that the Imperial measure alone ought to be used. Besides, after the communication which had been made to foreign governments of the alterations we had introduced into our measures, and after the declarations which some of them had made of their willingness to adopt measures in uniformity with our own, he thought that we ought to adhere to the Imperial measure.

Mr. C. Grant thought that no practical inconvenience would arise from adopting the system marked out in the resolutions.

Mr. Baring expressed his determination of taking the sense of the House on the suggestion which he had thrown out, on the very first opportunity which the forms of the House would allow him. The hon. member insisted very strongly on the gross inconsistency of calculating the duty upon one measure, and the price upon another.

Sir J. Erskine said that the calculations were made upon the Winchester bushel, the common people would think that the Imperial measure was abandoned. He wished an uniformity of measures to be established throughout the country, and preferred the Imperial to the Winchester
measure, as it was calculated on a more
... and intelligent principle.

The report was brought up. On the
question that it be read,

Sir J. Wrottesley remarked upon the
inconvenience arising in his neighbourhood
from the confusion of the measures. He
was obliged to sell by the Winchester
bushel of thirty-two quarts, and bought in
one market town at the rate of thirty-six
quarts, in another at the rate of thirty-
eight quarts, and in another at the rate of
forty quarts.

Mr. Warburton recommended, that the
averages should be calculated not by the
old, but by the scale of the Imperial mea-
sure.

The Chancellor of the Exchequer said,
that if an alteration was made in one
instance, it would be necessary that it
should be pursued with respect to every
species of grain. The calculations now
before the House were made, bona fide,
according to the Winchester bushel; and
an alteration of them would induce the
inconvenience of a fraction. This would
create very considerable difficulty to those
concerned in the corn trade; because, to
maintain the relative proportion, in the
first instance, they would have to reckon
not 1s. but 1s. and the thirty-second part
of a shilling. If they altered the propor-
tions, it would take a pretty considerable
time before the measure was completed.

Mr. D. Gilbert said, that the fraction
might, when grain was at a high price, be
allowed to the importer, and when at a low
price, to the grower.

Lord John Russell did not think there
was any magic in the numbers sixty and
twenty, which should induce the right
hon. gentleman to adhere to them, which
would be the means of continuing the old
standard, when a new one had been pro-
vided. It would be better to go through
the calculations, and to make the Imperial
measure the general standard. It was the
measure recognized by the legislature,
and it would be wrong to call on the
country to adopt the old measure, after it
had been, in a great degree, given up.

Sir G. Clerk thought there could be no
difficulty in adopting the proposition of
the hon. member for Bodmin. There
would then, when wheat was above 60s.,
be a small fraction in favour of the im-
porter; and when below 60s., a fraction
against the importer, and in favour of the
home-grower.

Mr. C. Grant consented, as he saw
there was a feeling in the House in favour
of the adoption of the Imperial measure,
to have the Resolutions recommitted.

The Resolutions were ordered to be re-
committed on Monday.

Protestant Dissenters—

Mr. W. Smith, before the Speaker left
the Chair, observed, that he should not
oppose the bill, though he considered this
annual measure as an instrument of great
injustice to the Protestant Dissenters, of
which body he was himself one. For that
reason, he was unable to hold any office,
however insignificant, under the Crown,
or to sit as a magistrate in any corporation,
without violating his conscience. This
was an exclusion hard, unjust, and un-
necessary; and when he complained of it,
he was told that he found his relief from
all his grievances in this bill of Indemnity.
This bill was the stalking horse, by means
of which the Test and Corporation acts
had been continued in existence for a
century. If this bill had not been passed
yearly, both those oppressive acts must
long ago have been repealed.

Mr. D. W. Harvey said, he could not
conceal his astonishment at the contrast
which marked this bill, and the course
pursued, as it regards the Catholic claims.
For nearly forty years the Indemnity bill,
which he characterized as a measure of the
most barbarous legislation, had been al-
lowed to steal silently through the House;
without provoking a syllable in explanation
of its objects, or in justification of the con-
tinuance of those penalties against which
it professes to be a security. While the
claims of the Catholics are urged, year
after year, with the vehemence of party,
enslaving in their support the mightiest
powers of energy and eloquence; the real
and substantial claims of the Protestant
Dissenters, whose claims are founded in
the immutable principles of the rights of
conscience, and the inviolability of private
judgment, are entirely disregarded. It
was both false in fact, and injurious in its
influence, to confound Catholic concessions
with religious freedom; they had no con-
nection with that hallowed feeling. The
claims of the Catholics rested altogether
on the policy and expediency of them, and
were remote from any sentiment connected
with religious freedom. Nothing could be more opposed to correct sentiment than such an union; and it was from this fact that the Dissenters were chiefly led to view all concessions to Catholics with well-grounded apprehension. For it was a peculiar property of the papal faith, that its articles and canons were in all times and circumstances unchangeable; and though persecution might assume in different ages various shades, still exclusion of all ecclesiastical rivalry, and the suppression of sectarianism, formed the basis of that uncongenial faith. It ought to be borne in mind, that it was owing entirely to the heroic and manly sacrifices of our non-conforming forefathers, that we were indebted for the great blessings of the Protestant ascendancy. Had not the Dissenters consented to the thraldom imposed by the Test and Corporation acts, the Catholics in the reign of Charles must have been ascendant in the cabinet and the field; and it would be the greatest stigma on the Dissenters, and a reproach to the parliament, were the Catholic claims conceded before the Dissenters were emancipated; and, for one, he should never be inclined to countenance the one, until the other was secured. He was bound to look at the conduct of parties in that House with extreme jealousy; as nearly forty years had been allowed to pass away without an effort in favour of the Dissenters. Honourable members might urge the millions who profess the Catholic religion, and the Dissenters might also recur to their numerical strength, did not their pretensions stand on the higher and better grounds of moral excellence, pure devotion, and a steady attachment to the civil rights of the people. What could be more preposterous or unjust than that two millions of well-informed persons should be precluded by law from filling stations in the corporate towns where they had earned and generously expended their fortunes, and whose municipal functions they are so well able, from education and character, to uphold and adorn? He trusted, therefore, that some sincere and speedy effort would be made to rescue the Dissenters, and the country, from one common charge of inhumanity and injustice. When he contemplated the peaceful tenor of their conduct, the sobriety and virtue of their lives, their cheerful and generous support of every object of utility or benevolence, and contrasted them, the Protestant Dissenters, with the turbulent and factious, and oftentimes seditious, harangues and movements of the Catholics of Ireland, who urged their members to terrify parliament into submission, on the pretence that giving seats in the senate to the famished crowds of that country, would relieve and remove all difficulties, he was at a loss to trace the wisdom of the statesman, or the calm reflection of philosophy. And the evil was the more palpable, because the Dissenters of Ireland were actually allowed to hold corporate offices, while they were guarded by penalties and proscription in this country. It had been said, that the Dissenters were generally unfavourable to the Catholic claims. He believed they were; and he had generally found that those amongst them who best understood the subject, and were the most deeply imbued with the spirit of religious liberty, and sensible of its blessings, were the most alive in their apprehensions on the subject. For they found it difficult to reconcile the security of spiritual freedom, with the bondage and superstition of Catholic dominion.

Lord John Russell rose to defend himself and the great portion of his friends from the imputation made upon them by the hon. gentleman who had just resumed his seat—namely, that, for the purposes of party, they brought forward the question of Catholic emancipation, while they did not equally insist on the restoration of freedom to the Protestant Dissenters. He was ready to declare, for himself, and on behalf of the great body of his friends, that, on the principle of general religious liberty, without any compromise or exception in favour of any one sect, he would give his support to any question that might come before the House. He would further state, that, on the subject of the Test and Corporation acts, some very respectable persons, Protestant Dissenters, had applied to him—an humble individual, undoubtedly, in that House—to bring it forward. He was asked, whether he was ready to move the repeal of those acts? He answered, that undoubtedly he would; but he added, that it was a question for them to consider what was the proper time for that purpose, and in whose hands they would place it. A noble friend of his, in the other House, had, in like manner, always stated his readiness to bring forward the question, when the aggrieved body deemed it expedient and politic to have it
discussed: His hon. friend, the member for Norwich, could testify to that fact. Having given those assurances, why were they not to be taunted with party designs, and factions views, in bringing forward the claims of the Catholics? What interest had they but in the general prosperity of the empire? Yet it was urged as a charge against them, that they brought forward the question, which, having the name Popery attached to it, was exposed to prejudice; while, it was said, they neglected the cause of the Protestant Dissenters, against which the same prejudice did not exist. What reason could they have for following the course imputed to them? They could bring forward the claims of the Dissenters at any time, without exciting any angry feeling, or reviving any ancient prejudices; but there were not the same urgent reasons as in the case of the Catholics. The tests exacted by law from the Dissenters against the national religion, he was free to admit, were the most absurd, the most odious, and the most disgusting, that were exacted by any legislature. One instance he would cite—that of requiring them to take the sacrament against every feeling of their conscience, which, he would not hesitate to declare at once an act of mistaken policy, and a profanation of religion itself. Yet, he would say, that the grievances of the Protestant Dissenters were not practically so great as those of the Catholics. The proof of this fact was before him. All the Catholics in the kingdom were excluded from parliament; while his hon. friend, the member for Norwich, was able, though a Dissenter, to take his seat. The law, indeed, was founded on principles of persecution, but the annual bill of Indemnity, in fact, gave that relief to the Protestant Dissenters which was denied to the Catholics.

Sir Robert Wilson said, that the hon. member for Colchester, had put the saddle on the wrong horse. The reason why the claims of the Dissenters had not been discussed, was, that they had not asked for relief. If they had been practically excluded from the pale of the constitution, there would have been as many petitions from them as from the Catholics. He confessed, however, that he thought it ungenerous in the Dissenters to withdraw their auxiliary support from the Catholics. The main body of the Dissenters were certainly more opposed to the Catholic claims than even the members of the established Church. The exceptions, he knew, were many and honourable; but he believed he had spoken correctly of the great body. On the other hand, that what he called the government opposition to the Catholic claims rested not so much on the fear of the admission of Catholics to that House, as on the fear that the concession to the Dissenters of all their rights and privileges would be a necessary consequence of the emancipation of the Catholics.

Mr. Van Homrigh addressed the Speaker, but the impatience of the House rendered him inaudible. He complained of this inattention. He remarked, that he might have made a few observations to the House before, but this was the first time he had formally addressed them. He was sure, more loyal subjects than the Catholics of Ireland could not be found, and they had been so from the earliest days of antiquity. At the time of the Revolution they had sworn allegiance to a king to whom they faithfully adhered. It had been his fortune to see the descendants of those men who fought at the memorable battle of the Boyne, collected together on the same spot, to offer the demonstrations of loyal attachment to their present king; and he was sure that his majesty would, if he were asked the question, be ready to declare that a more loyal body of men than his Irish Catholic subjects did not exist. It was quite ridiculous to say that the Catholics were not worse off than the Protestant Dissenters. Let them be placed on the same footing—let them have an annual Indemnity bill likewise, and they would ask no more. The true way to judge of the Catholic, at least the way he judged of them, was by his own feelings. "If I were a Catholic," concluded the hon. gentleman, "I declare I would never be satisfied until I had completely succeeded in vindicating my claim to equal rights with the rest of my fellow-subjects."

Mr. Warburton reminded the hon. member for Colchester, that the removal of disabilities from one class of subjects, did not necessarily imply the propriety of removing similar disqualifications from another class.

Mr. W. Smith trusted that the hon. member for Colchester's representation of the Dissenters would not be taken as a just or fair view of them. He was willing to believe the statement of the gallant member for Southwark, as far as it was the
...result of his own observation; but he must deny such to be a fair representation of the feelings of the Dissenters. He thought they felt too much for the cause of civil and religious liberty, not to wish that the cause of Catholic emancipation should succeed.

Mr. Hume, seeing the right hon. Secretary for the Home Department, very attentive to the debate, wished to put a question to that right hon. gentleman, for whose sincerity he had the highest respect. In the course of the late discussion upon the Roman Catholic claims, the right hon. gentleman had stated, that he was a sincere friend of toleration and of civil and religious liberty, and that he was willing to concede every thing, save and except political power. Now, the right hon. gentleman was aware that the Test and Corporation acts were repealed in Ireland, and that Protestant Dissenters were permitted to sit in that House. He wished to ask the right hon. gentleman whether he would give his support to a bill for annulling those acts altogether?

Mr. Secretary Peel said, he thought it rather hard that he should be punished with a question, because he happened to be paying attention to the debate. In the first place, he would say, in answer to the question put by the hon. member, that during the debate upon the Catholic claims, he had not said one word on the subject of the Protestant Dissenters. What he had said upon that occasion applied to Roman Catholics, and was to this effect, that he would resist any measure for giving them political power, but that he was willing to admit persons of that belief to the enjoyment of all the privileges to which the law entitled them; and that in such cases, he would make no distinction between them and Protestants, each having equal qualifications as to moral character, and professional skill. He did not think it necessary at present, to say a word respecting his opinion of the tests, as they affected Protestant Dissenters—sufficient, for the day was the vote thereof; and that evening he intended to vote for the bill, which he looked upon as a measure of relief. He could not agree in what had fallen from the hon. member for Southwark, that a measure of relief ought not to be granted to the Dissenters, because they had not presented petitions in favour of the Roman Catholics. Such a ground for refusing to afford the Dissenters relief, appeared to him to be the most extraordinary that could be assumed. His reason for not entering into the general question, whether or not the Test and Corporation acts ought to be repealed, was two-fold: first, because no notice had been given of the intention of any hon. member to discuss that question in any stage of this bill; and secondly, because it appeared to be the disposition of the House to concur in this measure without discussion; the more particularly, as it was understood that it was the intention of the noble lord opposite, to bring the general measure under the notice of the House, in a distinct and separate shape. When that should be the case, he would be ready to state his opinions upon that question, but until then he should decline giving any answer to the question put by the hon. member.

Mr. D. W. Harvey said, that as the hon. member for Bridport had made some allusions to his constituents, he must beg leave to offer a few observations. The greater part of his constituents were Protestant Dissenters; and he was of opinion that not only they, but the great body of Protestant Dissenters in England were opposed to the Roman Catholic claims, from a firm conviction that the conceding of those claims, would be injurious to civil and religious liberty. Whoever cast his mind back to what took place when those acts were passed, would find that the Protestant Dissenters of that day, had placed themselves under the thraldom of those acts, for the purpose of saving to the country the benefits of Protestant principles and Protestant liberality; and, at that period, it was understood, that the Dissenters were to be relieved, as speedily as possible, from the operation of those acts. Among those of the Protestant Dissenters, who opposed the Catholic claims upon the ground already stated, were to be found men whose general information was such as entitled their opinions upon such subjects, to considerable respect.

Sir R. Wilson, in explanation, observed, that what he had said had been misunderstood by the right hon. Secretary. What he had said, and what he now repeated, was, that the Protestant Dissenters were satisfied to remain in an inferior situation, provided, by doing so, they could prevent their Roman Catholic fellow-subjects from enjoying the privileges of the constitution. Of the minority of two hundred and seventy-two, upon the late
discussion of the Catholic claims, he could not help saying, that the members who composed it had given the most disinterested votes that had ever been given in that, or any other parliament; because, by voting in support of the late measure, they had excluded themselves from all the advantages which, in all probability, would result from voting the other way.

Lord Rancliffe, in answer to what had fallen from the hon. member for Colchester, must say, that among his constituents, whom he had now represented in three parliaments, there were many Protestant Dissenters who had given him their votes upon the ground, that he was the friend of religious liberty to the fullest extent. No question had ever been put to him by any of his constituents, as to the vote which he intended to give upon the Catholic question; and, he would say, that he had, by his vote in support of the motion of the hon. baronet, the member for Westminster, supported the cause of civil and religious liberty.

Sir J. Russell said, he had a decided opinion upon the Test and Corporation acts, and should bring forward a motion of a Spring-gun. He moved the order of the day for a Committee of the whole House upon the bill for prohibiting the use of Spring Guns. Having, he said, on former occasions, stated the grounds upon which he had recommended this measure to parliament, he should not now enter into an elaborate exposition of the principle, or dwell upon the mischiefs ensuing from the practice, against which the bill was directed. Those mischiefs were perfectly notorious. Since the last discussion on this subject, a multitude of dreadful accidents had occurred. He concluded that the object of those who set Spring-guns was to destroy and maim mischievous trespassers—but he could not accommodate the patrons of these machines by stating, that even in one of those instances this end had been answered; for the death or mutilation inflicted in all the cases which had come to his knowledge, had fallen to the lot of innocent individuals. But it was not necessary to insist on that which was the known result of the practice: the House had merely to consider, whether these horrors ought longer to be endured, or should straightway be put down. It was matter of new astonishment to him, every time he reflected upon the subject, that in a country blessed with an organised system of law and jurisprudence, there should exist such a practice, or any necessity for argument respecting it. It would be a strange anomaly, if, in such a country, a man should be allowed, upon his own authority, to seize upon an offender within his own domains, and sitting in judgment in his own case, subject him to the punishment which the public law of the country had annexed to the offence; but yet, supposing that to be warranted, there would, in the case supposed, be a specific individual accused, a hearing, an examination of testimony, a deliberation, a conviction, a judgment, and an execution, all in orderly sequence, and the punishment would be that which the law had proportioned to the crime. But, in the case of a Spring-gun, the castigare proceeded, and frequently superseded, the audire. The punishment was not addressed to a crime, but to a civil injury, a mere trespass, for which, in most cases, the injury being nominal, more than a farthing would scarcely be given as damages. Neither was the punishment applied to a specific trespasser, but to any person, trespasser or not, who might happen to be walking in that direction, to meet the possibility, that such person might be an individual actuated by some lawless intent. Again, as there was neither crime nor culprit, so neither was there hearing, inquiry, or deliberation; they were identified with the judgment and the execution by the summary discharge of the indiscriminating machine employed, which, to complete the anomaly, administered as a punishment the arbitrary and unmeasured infliction of the party upon whom the trespass was committed. Of course, a gentleman who should deal justice in this way to his neighbours by the simple old fashioned process of a pistol discharged by his own hand, or that of an intelligent deputy, would himself be dealt with, at the next assizes for his county, by the common hangman. But, if this measure were rejected, he hoped some member with more influence than himself would move for a
bill to remit the punishment of death, and, on the contrary, declare lawful, all regular, well-considered and deliberate murders, committed by esquires and gentlemen of note upon poachers and others, being wilful and mischievous trespassers on their property. Thus we should at least escape from the evil of which he chiefly complained—the slaughter and mutilation of individuals perfectly innocent. At least, the punishment would then be inflicted on the real trespasser; and, although it might be a visitation somewhat harder than the laws had yet sanctioned for trespassers, even in pursuit of game, still we should at length know what we were about. Seriously, he would ask, whether it would not, in fact, be better to invest a being endowed with powers of discrimination with an authority of this description, than to leave the matter to these irresponsible and undistinguishable engines? or, would it not be more expedient at once to denounced the pursuit of game upon another man's land as a crime, and attach to it even the punishment of death or mutilation, to be inflicted in the ordinary course of justice, than to attain the end of so poisoning it in this underhand, uncertain, and, in every way, objectionable state? The truth was, that the use of these machines enabled lords of manors to deal with poaching as a capital offence; and while we declaimed against the old laws of France and other countries on the subject of their Game-laws, we must perceive that the feudal nobility there had nothing in comparison with this privilege. He was ashamed to say that it was a practice peculiar to this country. The rankest weeds were sometimes found on the richest soil, but, if suffered to remain, they became nuisances to its wholesome produce. Did our boasted code require such an auxiliary as Spring-guns—an auxiliary which must tend to exasperate and brutalize the people? If certain gentlemen thought proper to congregate large quantities of game, this was a self-indulgence, a mere luxury. Was a self-indulgence, a private luxury, in which the public did not at all participate, to be protected at this rate? Was an idle fancy to be defended at such an expense of blood and principle—at the cost of the lives and limbs of a considerable number of his majesty's subjects annually, and those not the individuals actually guilty of interfering with these amusements? Oh—but gentlemen would quit the country if they were not permitted to preserve game after their own fashion! Yet, gentlemen of fortune and devoted sportsmen appeared to live happily in those districts where Spring-guns were not used. Neither did lord Suffield, or Mr. Coke, who refused to employ them, quit the country; indeed, their estates had the reputation of being better stocked with game than any other in the kingdom. But, if there were gentlemen who would run away unless they were allowed this indulgence, such gentlemen could not too soon take their departure, for they must be nuisances to any country in which they resided. In his judgment, the man who would deliberately expose his fellow-creature to death or mutilation for the object of increasing his breed of pheasants, disgraced the high character of an English country gentleman. When he pictured to himself a game-preserving 'squire—one of these anthropophagi, sitting in his hall, surrounded, like an Ogre, by death-dealing machines, so arranged upon his territories as to spring upon and kill, or maim any one, whatever his purpose, who might unwarily approach, and thus setting the laws of God and the feelings of mankind equally at defiance—one he could not avoid thinking that such a being entered into the class of a demon, and deserved the execration of his species. It appeared that Spring-guns furnished a cheaper mode of preserving game than that number of gamekeepers and assistants required by lords of manors with extensive districts. But, whatever the cost might be, it was one which should be borne by the individual preservers of game themselves, and not by society at large. Was the cost which this practice imposed upon the public, the cost of so much human blood annually spilt, in order to secure a private indulgence to the game-preserver and none to the public who could not participate in it, even by purchasing game—was this cost, he would ask, that which it was either just or expedient to pay in order to prop up a vicious, distorted, and notoriously defective, system of Game-laws? If that system were such as to prohibit all legal means of supply for a natural and increasing demand, which the reiterated efforts of the legislature had failed to stifle;—if thus the supply were forced through illegitimate channels, and the poacher rendered necessary to the
wants of the public—were the consequences resulting from the necessity thus absurdly created, to be counteracted and repressed by the outrageous violence of Spring-guns? Some gentlemen pleaded motives of humanity for the use of them, contending, that they rendered nocturnal conflicts with game-keepers less frequent. But, in those conflicts, the game-keeper was paid for the risk he incurred, and the poacher was, actually, the party engaged on the other side; whereas, the Spring-gun almost uniformly mated its victim. Besides, the sum of mischief arising from Spring-guns was infinitely greater than that arising from such conflicts, without referring to the general principles upon which those machines were objectionable. If the Game-laws were altered, so as to furnish a legal supply of game to the market, these conflicts would cease with the existence of that flagrant description of poacher which now infested the country. There were some gentlemen adverse to the present system of Game-laws, who thought they must not put an end to Spring-guns until the whole of that system was reformed; on the ground that they were necessary to resist the arms of poachers, to which, they admitted, it gave birth. But he reasoned in an opposite direction, and he would induce those gentlemen to consider, that Spring-guns were equally the fruit of that degenerate tree—the offspring of that vicious parent which they were anxious to destroy. If this parent were deprived of the support which it derived from its monstrous progeny, it would be a material step towards its own destruction; for, when gentlemen, who were found to cling to the old system, were deprived of the aid they now derived from Spring-guns, they would be driven to a rational reform of that system, which, in reality, generated the depredations of which they complained.—On these grounds, and those which, on former occasions, he had urged, the hon. gentleman implored the House to concur with him in putting an end to a practice which degraded and disgraced the character of this country, and was utterly incompatible with every principle on which the institutions of a civilized people ought to be founded.

Sir J. Shelley contended, that the hon. and learned gentleman’s measure was, in fact, an attack on gentlemen who wished to preserve their plantations and woods. The words of the bill went to prevent the setting of Spring-guns in Woods and Plantations; but no mention was made of gardens, orchards, and other inclosures, so that a school-boy might be shot for going into an orchard and stealing an apple, while the thief and the poacher might enter a gentleman’s pleasure grounds without apprehension, and commit what depredations he pleased. The hon. gentleman’s bill was founded upon a false principle. It would be admitted, he presumed, that it was better to prevent a crime than to punish it. Now, his firm conviction was, that the terror of these machines prevented a great deal of crime. For his part, he never set them up himself, but he put up a board to say he had done so [a laugh]. The fear of these machines, he was persuaded, was extremely salutary. The hon. member had called the gentlemen who set Spring-guns on their estates demons and Anthropophagi. These were hard words certainly, but he could assure the hon. member, that such was the salutary influence of fear on rogues and depredators, that he knew an instance in which a board with the words “Coeur de l’eau, Salle d’eau” were set here,” had had all the effect of the usual notice about steel-traps and Spring-guns, and had struck such terror into the minds of the poachers, that his grounds were never visited by them. He could not help thinking that this was an instance in which a hard word was turned to better account than that which the hon. member had applied to country gentlemen. The hon. baronet proceeded to read a letter from the proprietor of extensive plantations in Ireland, in which it was stated, that the setting of Spring-guns on his estates had put an end to the depredations and outrages which had previously been committed on them, and that no loss of life or other inconvenience had resulted from the practice. In fact, the bloody battles between poachers and preservers of game scarcely ever took place where guns and traps were set. He never knew an instance in which they had occurred. He had certainly heard of some accidents having happened; some persons had, undoubtedly, been caught in these traps [hear, hear! from Mr. Tennyson]. The hon. and learned gentleman cheered, and with reason; for he was going to state that he had heard, the other day, of two lawyers having been caught in a trap [a laugh]. He agreed this was a melancholy occurrence; but then it was so rare an.
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event for a lawyer to be caught in a trap, that he hoped the House would not support the hon. and learned gentleman's bill on that ground. He should not follow the hon. gentleman in the vast variety of topics he had introduced, but he trusted the House would see the expediency of preserving plantations against depredation, and that they would therefore oppose the measure.

Lord Blandford thought the House would not act wisely, if they removed the protection afforded by the salutary terror which the setting of Spring-guns occasioned. If this measure were agreed to, armed bands must be marshalled against the midnight invaders of property, and the conflicts of the two parties would produce much more human suffering than ever had resulted, or ever could result, from the setting of Spring-guns. He had himself, for several years, made use of these instruments for the protection of his property; and, as he considered the objections urged against them to arise from a kind of morbid sensibility, he was determined to give the present bill his decided opposition. Looking at the question, indeed, upon the point of humanity, he felt convinced that the aggregate amount of human suffering would be, under the provisions of that bill, if it received the assent of the House, infinitely greater than any that could be produced from an occasional casualty under the existing system.

Mr. Secretary Peel said, that, although he approved of the principle of the measure, as he would show by the vote he intended to give that night, he nevertheless felt himself bound to express his very strong doubts with regard to the practical consequences likely to be produced from carrying the principle into effect. He was by no means satisfied that the taking away the protection afforded by Spring-guns would not have the effect of increasing the tendency to commit crimes, by increasing the temptations to incroach upon property. Resistance would then ensue, and conflicts would be the consequence, to an extent as great, perhaps, or greater than before. In a society, constituted like the present, he thought they ought never in that House to discuss a question on mere theoretical principles, without looking at the effects that were likely to flow from their adoption. Agreeing, therefore, as he would, with the principle of the measure, he doubted its effects; and the longer he lived, he was the less disposed to predict what would be the consequence of any measure founded even on the best principles, without waiting to ascertain its practical effect; and he could not divest himself of a fear, that there might be ultimately an increase of crime by the adoption of the present bill, from an addition to the temptation to commit offences against property. When, however, he saw the consequences arising from the placing of Spring-guns in unenclosed grounds, and when he heard of the daily accidents and misfortunes arising from the use of them in general, he felt that he could not any longer defend the continuance of such a system, and that it was better to run the risk of an experiment, even upon a theory, than suffer it any longer to exist; and he felt that the consequences of the change, whatever they might prove, must be less pernicious than if the laws, under which such things happened, were permitted to exist. When he looked to the practical consequences of the present state of the law, he felt convinced that the punishment intended to be inflicted upon trespassers by Spring-guns seldom or ever fell upon the guilty. The poachers, he believed, seldom or ever suffered. In most cases, the punishment fell upon the totally innocent, or upon the keeper, and the persons who had placed them for the protection of the game. He would vote, as he had said, for the bill; but he gave that vote and that assent qualified by his expression of an apprehension for the consequences, and with an opinion that some relaxation of even a very good principle would be ultimately found necessary. He repeated, however, that when he looked to the mutilations and the calamitous results which arose from the use of Spring-guns, he could not refuse his assent to the bill. The right hon. gentleman then alluded to the arguments which had been used by the hon. baronet and others with respect to the influence produced upon the minds of the poachers by the dread of Spring-guns, and observed that the hon. baronet might still continue to use his αντίφασίς in the same manner as before [hear! and a laugh]. There were several portions of the bill to which he objected; such as allowing Spring-guns to be placed in an open field, and some others of that kind. He did not see how or why Spring-guns
were not to be placed in an enclosed field, and yet allowed in an open common; but as these defects, if they were defects, might be remedied in the committee, he, would conclude by expressing his cordial assent to the hon. gentleman’s motion.

Mr. P. Mildmay was sorry that he could not arrive at the same conclusion as the right hon. gentleman. He was convinced that, so far from diminishing the amount of crime, the repeal of the Game-laws would have the effect of increasing the crime, and those conflicts which produced such unfortunate results, in a most alarming degree. Some hon. gentleman had stated, that the offence of poaching, and the committals for stealing game were much fewer in those counties were Spring-guns were not placed, than where they were in general use. Now, he had moved for some returns on the subject, which showed, that in those counties where Spring-guns were not used, the committals were much greater than in others. He was convinced, indeed, that great mischief rather than benefit would accrue to society, from any change of the laws respecting the protection of game, and he therefore felt himself bound to oppose the committal of the bill.

Mr. Charles Barclay said, that in a great part of Suffolk, the county with which he was acquainted, there were no Spring-guns used. In Norfolk, the owners of the largest estates, Mr. Coke and lord Suffield, adopted no such means of security, and yet their property was protected. The question seemed to him to resolve itself into this: whether they were entitled to set Spring-guns to destroy a man for the purpose of preserving a peasant or a hare? He himself had set Spring-guns, and did now; and he would tell the House the result. The very first person who came in contact with one of the wires, was his under-keeper, who, in chase after a woodcock, quite forgot what had been set. The gun went off; the man stumbled over the wire and fell. As he thought himself shot, he did not attempt to stir, but laid still, expecting to die every minute; finding, however, that he was still alive, after a little deliberation, he turned round, and finally called out to his companion not to be frightened, for that he was not dead. It was not, however, so improbable a thought; for the man had seen the guns loaded with an immense quantity of powder and shot, not knowing that he (Mr. Barclay) constantly ordered his head-keeper to draw out the shot. The next person who was near falling a victim to them was his wood-keeper; who complained that he, by accident, went into the park, and trod upon one of the wires, and that it would have been a very hard thing for him to have been shot. A number of similar instances had occurred, whilst he had never remembered a poacher having been wounded by a Spring-gun, although they frequented woods where guns were set.

Mr. J. Grattan said, that Spring-guns were nearly unknown in Ireland.

Mr. W. Smith said, that the hon. baronet who had argued the most strongly for setting Spring-guns, had acknowledged that he himself had never set them—a fact which was better than a thousand arguments. If a street was said to be continually infested with thieves and house-breakers, was that a reason why a cannon should be discharged down the middle of it by way of clearance? This was, however, the principle on which Spring-guns were defended.

Colonel French said, he was determined to oppose the bill, not only because he felt that its principles were founded upon a feeling of morbid sensibility, but because he thought that the favourers and supporters of the new system of philosophy and of political economy seemed to forget that the honest English country gentleman, though he might not have the same knowledge of philosophy and political economy as they had, yet formed in himself the very subject and essence of the English character. He would propose, whatever became of the bill with regard to England, that Ireland and Scotland should be left out of the sphere of its operation. In the first place, there was little or no game in Ireland; and in the next, the arms which must be put into the hands of the keepers, in the event of Spring-guns becoming illegal, would form a temptation to the commission of murder, in order to get possession of them. It was usual in that country to plant many thousand acres with young trees; and he knew many instances in which parties of one or two hundred persons had gone into one of these plantations, and destroyed the greater portion of the trees: Spring-guns had, however, been placed in these plantations, and no individual had ever since ventured to commit a trespass.
Mr. Sounderson shortly opposed the bill, and moved as an amendment, that it be committed on that day month. He did not object to all its details, but he would prefer considering its provisions as an amendment to the bill on the Game-laws, which it was probable they would have to consider when it came from another place.

Sir R. Heron had no objections to Spring-guns, when placed in houses and gardens, and other places where such a protection was necessary; but he contended that they ought not to be placed in fields or woods, where a man might happen to go for very justifiable purposes. He would, however, rather relinquish the protection afforded by Spring-guns, than be a witness to the consequences which would, however, rather relinquish the provision as an amendment to the bill on the Game-laws, when it came from another place.

Mr. W. Duncome opposed the bill, but had no objection to the use of Spring-guns being prohibited between the hours of sun-rise and sun-set. By the adoption of that amendment, he thought the objections to the use of Spring-guns would be rendered nugatory. It was very well for hon. gentlemen to say that other means might be resorted to for the protection of game; but it ought to be recollected, that every man could not, like lord Suffield or Mr. Coke, afford to keep an army of twenty or thirty game-keepers to keep his preserves. That House, in legislating, ought to look at the condition of the middling class of landowners as well as the higher; and consider what was necessary to the preservation of that property. Spring-guns were, however, to be defended upon a principle of humanity. They prevented the frequency of those deadly conflicts which must result from a withdrawal of the protection hitherto afforded the preserves of game; and upon that ground he would oppose the bill.

Lord Sandon said, he had that night heard two arguments adduced against this bill, which, he trusted, he should never again hear mooted upon any occasion. The first literally went to support the use of Spring-guns, on account of their superior cheapness, in sacrificing human life, and shedding innocent blood. And the second, the absolute necessity which would be imposed upon gentlemen who had preserves, of maintaining additional game-keepers, if these instruments were dispensed with. To the first argument, no reply could be necessary. To the other, he would only answer, that if gentlemen were so eager to maintain the possession of an expensive and fatal luxury, they could hardly complain of the hardship of being compelled to make more extensive and legitimate provision for its preservation. [cheers].

Sir Edmund Carrington said:—I hold myself bound, by the law of England, to support this bill. On the legality of the act of setting Spring-guns or man-traps in woods or plantations, to preserve them from the apprehended invasion of poachers, or of other trespassers, there is no express statute; but all the analogies of law, as well as all the feelings of humanity, are in opposition to the practice. The poacher is a mere trespasser, and liable only to be dealt with and punished for a trespass; could the proprietor of the soil, if he met the poacher, even armed, and at night, presume at once to shoot him through the head, or to maim, or to disable him? Could he presume to delegate such an authority, or to issue such a mandate to his keeper, or his woodman? Would he venture, even on the notice which warns all invaders from his territory, to add the threat, that his keepers had orders to fire upon, or to despatch the trespasser? Would such a notice be endured for a moment? And shall he delegate to accident a power which he neither dares to execute in person, or to delegate to any moral agent? Shall he make chance his proxy, for the purpose of murder, or of manslaughter, or of mayhem? But, Sir, by the law of England, as in all many and consistent reasoning, where the direct performance of an act is forbidden, its execution by indirect means is forbidden also. If, therefore, the setting these engines of destruction be an unlawful act, what is the situation, and what the peril, in which a gentleman places himself by authorizing or commanding the resort to so desperate and so forbidden an expedient? Admitting that he is absent at the time, that he is ignorant of the explosion of the instrument, yet, by the very orders he has issued, he becomes a principal in the offence; for, by having laid the means of destruction, which have taken effect in his absence, and without his specific knowledge, he is constructively present, and personally responsible to his country for the offence of which he was the cause, and of which it was his duty to foresee.
the natural consequences. We all know with what anxious caution the law surrounds the life of man, even where the person slain has been the original aggressor; how minutely it exacts, that the object of attack shall not have exceeded the limits of a just and necessary defence, and that the right to slay his adversary ceases with the emergency: that alone could authorize it; no suspicion, no fear of future attack, will justify the killing an adversary to prevent his mere apprehended hostility, even to the life of another: the law provides its safeguards, and interposes its protection, and to the law alone must resort be taken for the securities it can and will exact. In the language of the Roman orator, "Quis hoc statuit unquam, aut concedi sine summum omnium periculo potent, ut eum jurae potuerit occi dere, a quo metuisset se dicat, ut ipse posterius occideretur?" These, Sir, are the principles of our law, and not of the law of England only, but of those systems of general law which have been so admirably expounded by Grotius, and the great jurists who, like him, have enlightened mankind on the principles of moral action, and the sanctions of legal and social responsibility. On these principles, and for the safeguard even of those who, from inadvertence, or from too eager a regard to the preservation of a favourite property, have been led into what I consider an unauthorized usurpation of the powers of prevention and protection, I shall vote for going into the committee.

Mr. Ridley Colborne observed, that if the bill had only gone to restrain the setting of Spring-guns to the night season, and to making the setting of them by day illegal, it would have had its full and entire concurrence. Another principle on which he was disposed to support, to a certain extent, the use of Spring-guns, was this—that it was much better to employ them than to resort to the only other alternative which their diurse would leave for the protection of property; namely, the increase of that numerous armed force which was at present scattered over the country for its security. If there was one part of our existing system of Game-laws which more disgusted him than another, it was this extensive force; and the direct operation of the hon. gentleman's bill would be to increase its extent, and to multiply those murderous conflicts which were already too frequent. He could assure the House, that many friends of his, resident in his own neighbourhood, had started with a firm determination never to employ Spring-guns for the protection of their grounds and game; but, in consequence of the terribly mutilated and wounded state in which their game-keepers often returned from some accidental collision with the poachers, they had been reluctantly compelled to resort to the use of these machines.

Mr. Wynn declared his firm belief to be, that if they should continue to make it legal to set Spring-guns by night, they would continue to be set also by day. He had never known an instance where accidents had happened in the day time from Spring-guns being unawaresly troy upon by unoffending parties, in which it did not appear that the keepers had promised to take them up in the day time, and to keep them down only at night: and there could be no doubt that game-keepers would always contrive to employ them as much as possible. Then, as to the principle of their employment at all, it should be remembered, that the offence against which they were meant to guard was but a trespass on a certain description of property. Now, however excessive the degree of punishment, as compared with the nature of the offence, might be, which these Spring-guns inflicted, there would be something in the argument, as to the necessity of their employment, if the guilty one offended by them. The contrary was, however, notoriously the fact; for hardly an instance could be cited in which the offender was the victim. But then it was contended, that the knowledge of their being set in grounds operated to deter the guilty from trespassing; but if the innocent were to suffer, in order that the guilty might be alarmed, that House would never sanction the use of such weapons. This argument, therefore, fell to the ground. Some hon. gentlemen had supported the use of Spring-guns, by the example of flogging, of which they observed, that though it was not very pleasant to any party who was subjected to it, it might, and did, undoubtedly, deter others from committing offences, for which they would be amenable to the same penalty. Now, this attempted analogy appeared to him to rest on no better grounds of reason, than the ancient practice in this kingdom, according to which, the tutors of princes never punish-
Spring-Guns Bill.

Mr. Denison protested, that no person was more convinced than himself of the utility, and, indeed, essential necessity to this country, of country gentlemen living upon their estates, exercising a generous hospitality, and maintaining with their tenantry every sort of reciprocal good office. It was with this conviction that he rose to vindicate the country gentlemen from the imputation which had been very freely cast upon them, in the course of the debate, that they were obliged to have Spring-guns and armed bands, both of them frequently destructive to human life, for their amusement. For himself, he could only say, that he never used the one or the other; and yet if any hon. gentleman would do him the favour to visit him in the season, he would show them as much sport as if he had been one of the strictest preservers. If, however, there really were country gentlemen, who could not reside upon their estates without Spring-guns and bands of armed men for their amusement, the sooner they left the country the better. They had much better come up to town at once, and put themselves under the protection of the watchmen, who were the armed keepers of Berkeley and Grosvenor squares.

Sir R. Ferguson said, he would give the bill his hearty support. He had had some experience as to the effects produced in his neighbourhood by Spring-guns; and he could state that the only instance of individuals being previously hurt by them had been in the case of gentlemen and gamekeepers by whom they had been set. He had never heard of a single accident happening to a poacher. He would add, that the whole tenor of this discussion inspired him with the conviction, that some alteration in the Game-laws was absolutely necessary. A bill upon this subject was at present in progress in another House, which he hoped would pass there by a triumphant majority, and come down to this House, where it would also receive every support.

Lord Althorp observed, that, singularly enough, the whole discussion upon this motion had turned, not so much upon the question of the expediency of employing Spring-guns, as on the necessity of preserving game. Now, fond as he was of field sports, and disposed as he might feel, under other circumstances, to preserve game, God forbid that, while the punishment of offences against this property was so excessive as that which the use of Spring-guns entailed, he should sanction the preservation of that species of property! He thought the setting of Spring-guns was at variance with the sound principles of English law. One of those principles was, to establish a due proportion between the punishment and the crime; but here a punishment of mutilation, and in some instances of death, was proposed to be substituted for what was nothing more than a trespass. He hoped, therefore, that instruments would be no longer permitted, which gave a sanction to inordinate punishment for a minor offence.

Sir H. Vinton said, that, in his opinion, this was a question between the employment of Spring-guns, and the employment of a great additional force of gamekeepers; and as his mind was made up as to the alternative, he should oppose the bill.

The question being put, "That the Speaker do now leave the Chair," the House divided: Ayes 104; Noes 42.

House of Lords.
Monday, March 26.

Breach of Privilege.] The Lord Chancellor said, he thought it his duty to call their lordships' attention to what he
conceived to be a breach of privilege. By an order of their lordships, strangers were not permitted to appear below the bar. The officers of their lordships' House had thought proper to disoblige that order, and to admit strangers, upon which he would say nothing at present, but did not allow them to come in with sticks and umbrellas. A person, presenting himself for admittance, had therefore been desired to leave his umbrella behind, which he did, and which was afterwards taken away. That person had thought proper to bring an action against the officer of the House, to recover the value of the umbrella; and had, moreover taken upon himself to serve him with the process in their lordships House. He conceived to be a breach of privilege. He thought that the regular course for their lordships to pursue would be to call the officer to the bar, to state the circumstances of the case, which he must depose to on oath. Their lordships would then decide whether a breach of privilege had been committed.

The Earl of Rosilyon said, that the individual had no right to bring an action at all; and that bringing an action would of itself have constituted a breach of privilege.

Strangers were then ordered to withdraw. The officer of the bar desposed to the fact, and the person who had brought the action was ordered to appear at their lordships' bar to-morrow.

Petition of the Vauxhall Coiners.] The Earl of Carnarvon rose to present a curious Petition to their lordships. It was the Petition of Shadrach Walker and Jeremiah Andrews, who had been committed to prison on a charge of coining. The petitions represented to their lordships, that they had only been manufacturing money, and that this manufacture was allowed by the 59th of Geo. 3rd. The prayer of the petitioners was even more strange than what he had already stated; for they prayed that the offence of coining might in future be made capital against all those who should follow their example. The petition was read as follows:

"To the Right Honourable the Lords Spiritual and Temporal of Great Britain and Ireland, in Parliament assembled. The Petition of the undersigned Prisoners, arrested near Vauxhall, on a charge of forgery of money,

Tobacco and Snuff Duties—

"Humbly sheweth: That in the act of parliament entitled 59 Geo. 3rd, cap. 49, date 2d July, 1819, the 10th and 13th sections use the word coin instead of money, which term is employed in the 11th section.

"That after permitting money to be melted into bullion, the 10th section allows bullion to be manufactured namely, without limitation in respect to the money of the realm; indeed, there is subjoined, 'any thing in any act or acts in force in Great Britain or Ireland, to the contrary thereof in any wise notwithstanding.'

"That the 13th section prohibits a debasement of money after its manufacture; but not during that operation.

"That, with reference to the 10th section, your lordships will be pleased, for the words 'and to manufacture or export, or otherwise dispose of the gold or silver bullion produced thereby,' meaning from melted money, to substitute 'and except counterfeiting or imitating the money of the realm, to manufacture or export, or otherwise dispose of the gold or silver bullion produced thereby;' as well as for the words 'and it is expedient that the traffic in gold and silver bullion should be unrestrained,' to say 'and it is expedient that the traffic in gold and silver bullion should be restrained,' are the humble requests of your petitioners, who, as in duty bound, shall ever pray, &c."

HOUSE OF COMMONS.
Monday, June 26.

Tobacco and Snuff Duties—Petition of R. M. Price.] Mr. Calcraft said, he rose to present a petition upon a subject of great importance to the revenue. The petitioner was a Mr. Robert Morgan Price, residing in the Vauxhall road, a gentleman well versed in the business connected with the petition. He had formerly laid before the lords of the Treasury a plan for preventing the smuggling of tobacco, and had been referred to Mr. Carr, the solicitor of Excise, with whom he had had several interviews. But as soon as Mr. Price proposed the repeal of an act which had been passed at Mr. Carr's suggestion, that gentleman would have nothing more to say to Mr. Price's scheme. It must be admitted, that Mr. Carr's office was largely paid, by fees
upon Excise prosecutions, arising out of the existing system. The hon. gentleman proceeded to show, from the petitioner’s statement the great facility which his plans would afford for collecting an increased revenue, and preventing smuggling. In consequence of the present imperfect system, there was a great defalcation in this department of the revenue. In one article, that of cigars, his suggestions had been attended to, and the result was, that in four months, the quantity on which duty was paid had increased from eighty-four pounds to sixteen thousand pounds of that article. Mr. Price calculated that if his plans were adopted, they would produce an increase of 1,000,000l. a year, with a decreased duty; but not under the present laws. For even at the decreased duty the smugglers might still realize a profit of 1,300l. per cent. In America the price of the raw article was 1d. per lb. In Holland it was 2d., and in England 2½d.; and the duty was 3s. per lb. So that the House would see what a wide field was opened for smuggling. Now, it was to put an end to this practice, and to give an improved revenue that Mr. Price had directed his attention. He thought that this plan of Mr. Price was well worth the attention of government, embracing as it did a proposition to increase the revenue by so large an amount, and at the same time to check the practice of smuggling. What he wished was, that there should be an investigation, either by the House or by the Treasury, into Mr. Price’s plans. The necessity of some such inquiry would be evident, from what was stated with respect to the decrease in the quantity on which duty had been paid in Ireland, which had decreased from 9,000,000l. to 4,000,000l. The subject was one which deserved investigation, and if the right hon. gentleman consented to the appointment of a committee he was ready to assist in the inquiry.

The Chancellor of the Exchequer said, he did not mean to deny the responsibility of the petitioner, but he thought the hon. gentleman attached too much importance to the petition, and he did not think that the facts were fairly stated. So far from the plans of Mr. Price having been rejected as unworthy of consideration, he himself had had interviews with that gentleman on the subject, and had read over with attention a variety of papers submitted by him; but he protested he could not make himself so far master of them as to say he clearly understood them. The plans consisted, for the most part, in the suggestion of an infinite variety of restrictions on the tobacco trade. Now, he owned he was not disposed to commit himself by adding to the restrictions on this trade; which, though they might, he could well conceive, be approved of by the great dealers, would not meet the general approbation of the trade, and would be injurious and vexations to them, as tending to produce large monopolies. One reason why he was unwilling to sanction any such restrictions was, that some time ago Mr. Carr had proposed a new tobacco excise bill, adding many provisions much more onerous on the trade than those which already existed, but the proposition being opposed by the great mass of the trade, was abandoned by the right hon. gentleman who then held the office which he had now the honour to fill. He was unwilling, after such a rejection, to press what he knew would add to the restrictions already in force. It had been insinuated that Mr. Carr refused to pay further attention to Mr. Price’s plan, when that plan suggested any alterations in his own act, as if such alterations would lessen his fees from prosecutions. Now, the fact was, that, if Mr. Carr had any fault, it was that of suggesting many restrictions which if adopted would have the effect of materially diminishing his own profits. If the hon. member were in the situation which it was his fortune to fill, and were compelled to attend to all the schemes for the amelioration of particular branches of the revenue which he received from ingenious, and he might say, fanciful men, he would find that he would have no time to bestow upon the real and more important business of his situation.

Sir John Newport recommended the right hon. gentleman to pay attention to the subject matter of this petition. In Ireland 400,000l. was annually raised upon these tobacco duties, of which 200,000l. was paid back to the preventive service. He conceived that if the duty was diminished to 1s. 6d., the revenue would be augmented by the increased consumption of the article which the diminution of the duty upon it would create. Besides, it would act as a prevention to that demoralization which always prevailed among a population which was accus-
The Chancellor of the Exchequer rose again, merely for the purpose of repelling the imputation attempted to be cast upon Mr. Carr, who had repeatedly told him that, in his opinion, a low duty upon all commodities that were in constant request among the people, would prevent smuggling more effectually than any other mode that could be resorted to.

Mr. Maberly thought that the best way to prevent any imputations from being cast upon Mr. Carr, was for the right hon. gentleman to carry into effect the recommendation which had been given with respect to that gentleman's office, and to give him a permanent salary.

Ordered to lie on the table.

FOREIGN RELATIONS.] Mr. Secretary Canning said, he had some papers to lay upon the table of the House. The first of these was a Treaty entered into between his Majesty and the Emperor of Brazil, for the final and total abolition of the African Slave-trade. This treaty had lately been signed, and its object was to be effected in three years after the exchange of treaties; and, during the interval, the Brazilian slave system was to be subject to the same impositions and duties as the Portuguese slave system was at present. The second of these papers was a Treaty between the United States and this country, regarding a dispute which had existed ever since the war, and which had been the subject of much discussion. That dispute related to the claims made by American citizens, in respect of slaves taken from their owners and proprietors during the war. The House were aware that this subject had been referred to the arbitration of a third power—he meant of the emperor of Russia, who had decided it unfavourably for his majesty. Since then the discussion had been renewed, principally with regard to the amount of compensation claimed; and two years ago he (Mr. Canning) had come down to the House, and had obtained a vote of 200,000l. on account. When the second discussion was terminated, the amount claimed was settled, and the compensation, which the Americans had first stated at 2,000,000 dollars, was finally bated down to 1,200,000 dollars. As the money which the House had already voted on account was insufficient to satisfy that sum, he should be obliged to ask for a further vote, to make up the deficiency. The third portion of the papers which he had to lay before the House, formed the completion of the correspondence which had taken place between this government and the United States, regarding certain commercial regulations between the United States and the British West-India colonies. This correspondence had already been laid before the Houses of Congress of the United States, and three of the letters had already been published. As the world was at present in possession of a part of the correspondence, he saw no reason to withhold the rest, and the whole, therefore, would be printed. There was no cause for keeping any part of it secret. All the papers to which he had referred were authenticated, according to custom. The right hon. gentleman spoke in a very low tone of voice, and seemed to be still suffering from the effects of his late indisposition.

Mr. Husk said, whether the letters now to be laid before the House finished the correspondence, or whether it was still in continuation?

Mr. Canning said, he considered it finally closed, for he had had the last word.

The following are copies of the said papers.


Whereas, upon the separation of the Empire of Brazil from the Kingdom of Portugal, his Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the Emperor of Brazil, respectively acknowledge the obligation which devolves upon them to renew, confirm, and give full effect to, the stipulations of the treaties subsisting between the Crowns of Great Britain and Portugal, for the regulation and final abolition of the African Slave-trade, in so far as these stipulations are binding upon Brazil:

And whereas, in furtherance of that important object, his Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the Emperor of
Brazil, are animated with a sincere desire to fix and define the period at which the total abolition of the said trade, so far as relates to the dominions and subjects of the Brazilian empire, shall take place, their said Majesties have accordingly named as their plenipotentiaries to conclude a convention for this purpose, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland, the right hon. Robert Gordon, a Member of his Majesty's Most Honourable Privy Council, and his Envoy Extraordinary and Minister Plenipotentiary at the Court of Brazil;—And his Majesty the Emperor of Brazil, the Most Illustrious and Most Excellent Marquis of Inhambupe, Senator of the Empire, of the Council of State, Dignitary of the Imperial Order of the Cross, Commander of the Order of Christ, and of the Tower and Sword;—

Who, after having communicated to each other their respective full powers found to be in due and proper form, have agreed upon and concluded the following articles:

Art. 1. At the expiration of three years, to be reckoned from the exchange of the ratifications of the present treaty, it shall not be lawful for the subjects of the Emperor of Brazil to be concerned in the carrying on of the African Slave-trade, under any pretext or in any manner whatever, and the carrying on of such trade after that period, by any person subject of his Imperial Majesty, shall be deemed and treated as piracy.

Art. 2. His Majesty the king of the United Kingdom of Great Britain and Ireland, and his Majesty the emperor of Brazil, deeming it necessary to declare the engagements by which they hold themselves bound to provide for the regulation of the said trade, till the time of its final abolition, they hereby mutually agree to adopt and renew, as effectually as if the same were inserted, word for word, in this convention, the several articles and provisions of the treaties concluded between his Britannic Majesty and the king of Portugal on this subject, on the 22nd of January, 1815, and on the 28th of July, 1817, and the several explanatory articles which have been added thereto.

Art. 3. The high contracting parties further agree, that all the matters and things contained in those treaties, together with the instructions and regulations, and forms of instruments annexed to the treaty of the 28th of July, 1817, shall be applied, mutatis mutandis, to the said high contracting parties and their subjects, as effectually as if they were recited word for word herein; confirming and approving hereby, all matters and things done by their respective subjects under the said treaties, and in execution thereof.

Art. 4. For the execution of the purposes of this convention the high contracting parties further agree to appoint forthwith mixed commissions, after the form of those already established on the part of his Britannic majesty and the king of Portugal, under the convention of the 28th of July, 1817.

Art. 5. The present convention shall be ratified, and the ratifications shall be exchanged at London within four months from the date hereof, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed the seals of the arms.

Done at Rio de Janeiro, the 23rd day of November, in the year of our Lord 1826.

(L.S.) Robert Gordon.
(L.S.) Marquez de S. Amaro.
(L.S.) Marquez de Inhambupe.

America.—Convention between his Majesty and the United States of America, for the final settlement of certain claims of the United States, arising out of the convention concluded at St. Petersburgh, July 12th, 1822. Signed at London, November 13th, 1826. Presented to both Houses of parliament, by command of his Majesty, 1827.

Difficulties having arisen in the execution of the convention concluded at St. Petersburgh on the 12th day of July, 1822, under the mediation of his Majesty the Emperor of all the Russias, between Great Britain and the United States of America, for the purpose of carrying into effect the decision of his Imperial Majesty upon the differences which had arisen between Great Britain and the said United States, on the true construction and meaning of the first article of the treaty of
peace and amity, concluded at Ghent on the 24th day of December, 1814; his Britannic Majesty and the said United States, being equally desirous to obviate such difficulties, have respectively named plenipotentiaries to treat and agree respecting the same, that is to say:—

His Majesty the King of the United Kingdom of Great Britain and Ireland, has appointed the right honourable William Huskisson, a member of his said Majesty's most honourable Privy Council, a member of Parliament, President of the committee of Privy Council for Affairs of Trade and Foreign Plantations, and Treasurer of his said Majesty's Navy; and Henry Unwin Addington, esq., late his Majesty's Chargé d'Affaires to the United States of America:— And the President of the United States, Albert Gallatin, their Envoy Extraordinary and Minister Plenipotentiary to his Britannic Majesty:—who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following articles:—

Art. 1. His Majesty the King of the United Kingdom of Great Britain and Ireland agrees to pay, and the United States of America agree to receive, for the use of the persons entitled to indemnification and compensation by virtue of the said decision and convention, the sum of 1,204,960 dollars current money of the United States, in lieu of, and in full and complete satisfaction for, all sums claimed or claimable from Great Britain, by any person or persons whatsoever, under the said decision and convention.

Art. 2. The object of the said convention being thus fulfilled, that convention is hereby declared to be cancelled and annulled, save and except the second article of the same, which has already been carried into execution by the commissioners appointed under the said convention, and save and except so much of the third article of the same, as relates to the definitive list of claims, and has already likewise been carried into execution by the said commissioners.

Art. 3. The said sum of 1,204,960 dollars shall be paid at Washington to such person or persons as shall be duly authorized, on the part of the United States, to receive the same, in two equal payments as follows:—

The payment of the first half to be made twenty days after official notification shall have been made, by the government of the United States, to his Britannic Majesty's Minister in the said United States, of the ratification of the present convention by the President of the United States, by and with the advice and consent of the senate thereof.

And the payment of the second half to be made on the first day of August, 1827.

Art. 4. The above sum being taken as a full and final liquidation of all claims whatsoever arising under the said decision and convention, both the final adjustment of those claims and the distribution of the sums so paid by Great Britain to the United States, shall be made in such manner as the United States alone shall determine: and the government of Great Britain shall have no further concern or liability therein.

Art. 5. It is agreed that, from the date of the exchange of the ratifications of the present convention, the joint commission appointed under the said convention of St. Petersburgh, of the 12th of July, 1822, shall be dissolved, and upon the dissolution thereof, all the documents and papers in possession of the said commission, relating to claims under that convention, shall be delivered over to such person or persons as shall be duly authorized, on the part of the United States, to receive the same. And the British commissioner shall make over to such person or persons so authorized, all the documents and papers (or authenticated copies of the same, where the originals cannot conveniently be made over) relating to claims under the said convention, which he may have received from his government for the use of the said commission, conformably to the stipulations contained in the third article of the said convention.

Art. 6. The present convention shall be ratified, and the ratification shall be exchanged in London in six months from this date, or sooner if possible.

In witness whereof the Plenipotentiaries aforesaid, by virtue of their respective full powers, have signed the same, and have affixed thereto the seals of their arms.

Done at London, this 13th day of November, in the year of our Lord, 1826.

(L.S.) William Huskisson.
(L.S.) Henry Unwin Addington.
(L.S.) Albert Gallatin.

AMERICA.—Correspondence relative to commercial intercourse between the
Foreign Relations.

United States of America and the British West-India Colonies, August, 1826, to January, 1827, presented to both Houses of Parliament, by command of his Majesty, 1827.

No. 4.—Mr. Secretary Canning to Albert Gallatin, Esq. Foreign-office, Nov. 13, 1826.

. The Undersigned, &c. would willingly have abstained from offering any observations on the note addressed to him by Mr. Gallatin, &c. on the 22nd of September, in reply to the answer which had been returned by the Undersigned to Mr. Gallatin’s note of the 26th of August; the facts of the question agitated between Mr. Gallatin and the Undersigned admitting of no dispute, and their previous correspondence having exhausted all the arguments, on each side, of which the matter in discussion is susceptible.

But, upon repulse of Mr. Gallatin’s note, after a few weeks, there appear to the undersigned to be two or three points much relied upon by Mr. Gallatin, which it would be improper to leave unnoticed.

The first of these points, and that which affects, more or less, the whole of Mr. Gallatin’s reasoning, is the question of right—the right of a mother country to monopolize the trade of its colonies. Mr. Gallatin discusses this question much at length, and attaches himself in that discussion, rather, perhaps, to the terms, than to the substance, of the proposition intended to be put forward by the undersigned.

The proposition of the undersigned is simply, that there is a right in a mother country, universally admitted among nations, to interdict to foreign nations a trade with her colonies.

It may be true (as stated by Mr. Gallatin) that every country has the same “right” to interdict with foreign nations a trade with itself. But be the abstract “right” what it may, this, at least, cannot be denied, that the exercise of that “right” has been so usual in one case, and so unusual in the other, that the difference of usage (if it be no more) amounts almost to a difference of principle.

Foreign nations might justly complain of the one interdiction, that of trade with the mother country, as an innovation, but they have no just ground of complaint (and no other nation than the United States has ever complained) of the interdiction of trade to the colonies; because, in all ages, all nations having colonies have maintained such an interdiction.

Mr. Gallatin, after having objected, in the beginning of his note, to the use of the word “right” as applied by the undersigned to the colonial trade of Great Britain, applies the same word himself (inadvertently, perhaps,) in a subsequent part of his note, to the interdiction by the United States of a trade in British ships between the United States and the British West-India colonies.

That trade Mr. Gallatin describes as a trade which had been carried on merely by “permission” “a permission which (says Mr. Gallatin) the United States had a right to grant or to withhold.”

Now, as according to Mr. Gallatin’s doctrine, the United States have, in strictness, a “right” to exclude British trade altogether from their ports, the undersigned cannot presume to contend that they have not the same “right” to prohibit a trade between those ports and the British colonies.

But the undersigned ventures to affirm, that the right which they have exercised in the latter prohibition has no peculiar and separate character growing out of long and general usage, to distinguish it in principle from a prohibition of all trade whatever with the United States.

Up to the year 1818, Mr. Gallatin admits that the trade, since prohibited by the United States, was enjoyed by British vessels, in common with those of all other countries. The interdiction, therefore, is not of ancient usage, and so far is it from being generally applied by the United States to foreign vessels, that it operates against Great Britain alone.

Is it not at least singular that Mr. Gallatin should reserve for a practice thus novel and thus partial, the character of “right” which he denies to an usage as old as the establishment of colonies, and universal among all nations to which colonies have belonged?

Is it not singular, also, that while Mr. Gallatin denies any claim on the part of Great Britain to the continued enjoyment of a trade in the United States, which she is admitted by Mr. Gallatin to have enjoyed uninterruptedly up to the year 1818, Mr. Gallatin puts forward a claim on the part of the United States to trade with the West-India colonies of Great Britain, on the ground of usage and practice?
The United States, says Mr. Gallatin, found "their reclamation to participate in that commerce" (the trade with the British West-India colonies) on this ground:

"That trade has been allowed by Great Britain, it may be said, from the beginning, and at all times, and has become thereby so far assimilated to that with the European dominions of Great Britain, that the United States did think that they had the same claim to a participation in both." "As early as the year 1783, the government of Great Britain, deviating from that principle of colonial system, according to which her colonies were prohibited from trading directly with any other country, allowed her West-India colonies to trade directly with the United States of America in British vessels."

It may be observed as to these facts, as stated by Mr. Gallatin himself, that no two things can be much more different than a permission (on the one hand) given by Great Britain to British vessels to trade directly between a British colony and another country (the vessels of that other country remaining by law, and, in fact, excluded from the ports of the colony) and that "participation," on the other hand, which implies a trade between the United States and the West-India colonies in vessels of the United States.

The relaxation to which Mr. Gallatin refers, in fact, did nothing more than permit British vessels to bring certain articles into the colonial ports directly from the place of their production, instead of bringing the like articles circuitously through the United Kingdom. The question, whether these articles should be imported circuitously through the United Kingdom, or directly from the place of their growth, was a mere municipal concern, which did not vary the exclusive character of the colonial system, so long as that importation was confined to British ships.

Undoubtedly the United States might then, if they thought proper, have interdicted the trade to British vessels between their ports and the British West-India colonies, unless American vessels were allowed to participate in it, but they did not. "The history of the usage, therefore, is, that up to a certain period, a trade between the ports of the United States, and the British West-India colonies, in British ships, went on unquestioned, while, as Mr. Gallatin, is aware, no American ves-
latin describes the ports as having been opened to American vessels. True, but not to American vessels only, or specifically. The ports were open to the vessels of all friendly powers. The argument therefore, as to the special claim of the United States, falls to the ground.

The truth, however, is, that under the words "right" and "claim," so frequently recurring in this discussion, lies the real and fundamental difference of opinion between Great Britain and the United States, which has frustrated all attempts to settle the disputed question of colonial intercourse upon common principles, by conventional arrangement.

When it is contended that the "right" by which Great Britain prohibits foreign countries from trading with her colonies, is the same "right" with that by which she might (if she thought fit) prohibit them from trading with herself, this argument (which is employed by the United States alone) implies, that the special prohibition is a grievance to the United States, if not of the same amount, of the same kind, as the general prohibition would be.

This is a doctrine which Great Britain explicitly denies.

It seems to be admitted, indeed, that there was a time when the distinction between colonial trade and the trade of the mother country was tenable. But it has been assumed, in no obscure terms on the part of the United States, that the colonial system is now virtually at an end.

Great Britain denies this assumption.

Whatever relaxation Great Britain may think fit to introduce for her own sake, and for that of her colonies themselves, into her colonial system, she holds her "right" to maintain that system, as with respect to foreign nations, to be unaltered and entire. Great Britain, therefore, cannot consent to any diplomatic arrangement by which such "right" may appear to be relinquished, or by which her assertion of it can be understood to be in any degree qualified or controlled.

Hence the impracticability (already so repeatedly proved) of any treaty upon this subject between Great Britain and the United States.

Hence the necessity for Great Britain of doing whatever she means to do in the way of relaxation of her colonial monopoly, by acts of her own legislation.

This deduction brings the undersigned to the last point in Mr. Gallatin's note, and that on which he is most anxious that there should be no misconception between them.

Mr. Gallatin speaks of a "permanent exclusion of the United States by Great Britain, from a trade open to the rest of the world," as a measure different in character from a general exclusion of all foreign nations.

But is this a just description of the effect of the act of 1825?

Considerations (of which Great Britain alone is the judge) have induced her to open her colonial trade to other nations. She opened it to them not as a matter of special favour, or of special "claim" to any one, but on specified conditions, common to all nations who might think fit to subscribe to them, and to the United States among the rest.

If some of the nations of the world have taken advantage of the opening thus offered to them, by accepting the conditions annexed to it, and others have omitted to do so, and if the United States are, by their own choice, in the latter class, surely it is not a correct description of the consequence of this, their own voluntary omission, to say that the United States are "excluded" by Great Britain from a trade, which, on the contrary, Great Britain invited them to share.

Exclusion of foreigners from the colonial trade is the general principle of colonial policy; admission to that trade is the exception—an exception, which, in this instance, Great Britain was willing to grant to all those who were ready to purchase it on terms tendered equally to all.

The United States cannot mean to put forward the pretension, that what is granted to others on terms, should be granted to them unconditionally. If not, it seems difficult to imagine how they can feel it to be unjust or unkind (it certainly is not so felt, or intended, on the part of this country), that the United States having, upon a free, and (as is known from the public proceedings of their legislature) deliberate consideration, declined to subscribe to the terms on which exception from colonial prohibition was tendered impartially to all nations, they should find themselves, in common with such of those nations as have decided like themselves, liable to that exclusion, which is and always has been, the general principle of colonial trade. The undersigned avails himself, &c.

George Canning.
The undersigned, &c. did not fail to transmit to his government the note which Mr. Canning, &c. did him the honour to address to him, on the 13th of November, in reply to the answer which had been returned by the undersigned to Mr. Canning's note of the 11th of September. But, unwilling to continue a discussion which did not seem likely to lead to any practical result, he abstained from making any further observations on the subject, until he should have received special instructions from his government, in reference to a state of things which was altogether unexpected at Washington at the time of his departure.

Having now received a despatch from the Secretary of State of the United States, the substance of which he is instructed to communicate to Mr. Canning, the undersigned, in performing that duty, will, on those points to which he had already alluded in his former note, have but some explanatory remarks to add.

The right of Great Britain, which is that of every nation, to prohibit or allow foreign commerce with any part of her dominions, is unquestionable. That right, in reference to her colonies, has never been denied by the United States, any more than with respect to any other part of her possessions, and it is also admitted, that she may, within her own jurisdiction, prescribe the conditions on which such commerce shall be tolerated, and, at her will, again interdict altogether the intercourse thus permitted.

On the other hand, the United States, unless restricted by treaty, which in this case they are not, have precisely the same right to prohibit, to allow, and, within their own jurisdiction, to regulate foreign commerce with their dominions, whether that commerce be with the foreign country itself, or with its colonies or possessions abroad. It was not inadvertently that the undersigned used the word "right," as applied to the United States: he did not object to the use of the word, as applied to Great Britain. What he attempted to show was, that this right, which was admitted, and although it might at any time be exercised, had no bearing on the questions which had been the subject of discussion between the two countries.

What has been contended for is, that since to any commerce there must always be two parties, the mutual consent of both is always necessary, in order that such commerce may at all exist; that whatever its nature may be, whether of ancient or modern date, whether with colonies or with possessions of a different description, from the moment it does exist, it becomes a fit subject for negotiation: and that there is no reason why an agreement should not on that, as on any other species of trade, be founded on terms of just reciprocity, though relating to colonies, from an intercourse with which foreigners had formerly been, and might again be, excluded.

The various relaxations of the colonial system of Great Britain, as they never were, nor could have been intended for the benefit of the United States, and as they were always accompanied with restrictions exclusively favourable to her, could not be viewed as a boon to them, and never were accepted as such. The extent to which the commerce, when not laid under too severe restrictions, was carried on between the United States and the British colonies, is an irrefragable proof that it was equally advantageous to both parties. If equally advantageous, there had been no favour conferred on either side. There was no ground for a pretension by either party that the intercourse should be regulated by unequal conditions.

No such pretension had in fact been advanced. The proposals made by both parties, during the negotiations of the year 1824, were avowedly founded in a fair reciprocity, and brought the parties very near together. Unable still to agree on some points, it was concluded to suspend the negotiation, with a distinct understanding that it should be again renewed at some convenient day.

Mr. King was, in 1825, empowered to treat on all the subjects of the previous negotiation. He was instructed, in the first instance, as being a subject of more pressing urgency, to call on the British government to remove the impediments which prevented the execution of the St. Petersburgh convention. If his instructions on other subjects were not forwarded to him, it was because he was engaged in discussions respecting that convention, and it was believed that the state of his health did not admit of his entering at that time upon the more arduous
duty of resuming the suspended negotiation.

Of this his majesty's government appears to have been fully aware. On the 22nd of March, 1826, Mr. Vaughan addressed an official note to the Secretary of State of the United States, in which he says—

"I have received instructions from his Majesty's Government to acquaint you, that it is preparing to proceed in the important negotiations between that country and the United States, now placed in the hands of the American minister in London. Mr. Huakison has been already introduced to Mr. R. King, as his Majesty's Plenipotentiary, and the Minister of State, having the department of Foreign Affairs, has received his Majesty's commands to associate Mr. Addington, late his Majesty's Chargé d'Affaires in America, with Mr. Huakison, as joint Plenipotentiary to Great Britain.

The negotiations will, therefore, be forthwith resumed; and it will be for the government of the United States to judge whether, considering the state of health of Mr. R. King, which Mr. Canning laments to say has been, since his arrival in England, far from satisfactory, they will join any other negotiator in the commission with him."

The President did deliberate on that friendly suggestion; and the nomination of a person to be associated with Mr. King was contemplated, when a letter from him, dated the 21st day of March, desiring permission to return, was received; upon which, the duty of renewing those important negotiations, devolved, to his great regret, on the undersigned alone.

His instructions were of a character authorizing the hope that the result would be satisfactory; his departure was hastened; on his arrival in England, the Order in Council of July last had already been enacted. Indeed, it appears that the determination not to renew the negotiations on the Colonial intercourse, and to regulate it exclusively by acts of parliament, had been taken before July, 1825, when the acts to that effect were passed. Had Mr. King been provided with the same instructions, which the undersigned received they would have been equally unavailing.

Of that determination, the government of the United States had not the least notice. On the contrary, although Mr. Vaughan's communication offered the opportunity of making known the intentions of his majesty's government, positive assurance was given of its being prepared to proceed in the important negotiations, and that the negotiations would be forthwith resumed, without any suggestion that the colonial intercourse would form an exception.

The acts of parliament of the year 1825, in which that intention was to be discovered, never were officially communicated. That of the 27th of June, passed only a few days before that of the 5th of July, and not specially repealed by it, was not calculated to elucidate the object in view; and several causes concurred to induce a belief, that this last act was not intended to affect the trade between the British colonies and the United States, as carried on under the act of June, 1823.

This belief, and the reasons for it, were distinctly expressed in a letter from the Department of State to a member of Congress of the 25th of December, 1825, a copy of which is enclosed. That letter was published in the American newspapers; a copy was furnished to Mr. Vaughan; and he is understood to have transmitted it to his government.

That opinion was corroborated by the construction ultimately put on the act by the British authorities. It was thereby provided that certain privileges granted to foreign ships should be limited to the ships of those countries which should comply with the conditions therein stated, unless his majesty, by his order in council, should in any case grant such privileges, although the conditions had not been performed. And the act was declared to come in full force and operation from the 5th of January, 1826. It had at first been determined at Halifax, that the port should accordingly be shut against American vessels after that day. This decision was afterwards revoked, although the condition had not been performed, and although no order in council had granted the privileges in question.

It now appears that the act of the 5th of July, 1825, (6th Geo. 4th, cap. 114), which contains no repealing clause of former acts, refers, under the name of the law of navigation, to another act of the same date (6th Geo. 4th, cap. 109); that this, although it contains also no repealing clause, is understood and construed as having superseded all former acts on the same subject; and that the actual repeal
of the act of 1822 (3rd Geo. 4th, cap. 44, sec. 3, 4), is to be found in another act, also of the 5th of July, 1825 (6th Geo. 4th, cap. 105), entitled, "An act to repeal the several laws relating to the customs."

The intricacy of those several acts, and the difficulty of understanding their precise meaning, of ascertaining what parts of former acts were actually repealed, and what still in force, a difficulty which, in the case of the Jubilee, seems to have led into error one of the highest tribunals of Great Britain, may well account for the construction put upon those acts in the United States; affording, at the same time, a sufficient reason for having preferred a renewal of the negotiations to a pure acceptance of the conditions contemplated by the act of the 5th of July, 1825, (6th Geo. 4th cap. 114), had it been only for the purpose of ascertaining the true intent and meaning of the act.

Even as late as October last, Mr. Vaughan, as appears by his correspondence with Mr. Clay, was not provided with instructions that enabled him to give a satisfactory answer to the inquiries, whether, according to the British interpretation, American vessels might trade between the British colonies and foreign countries, and whether discriminating duties of every species had been abolished.

The proposition made during the last session of congress, and to which Mr. Canning has alluded, affords an additional proof of the imperfect understanding, owing to the complexity of the several acts of parliament which at that time prevailed, respecting their true object and intention. That proposition was only for a repeal of the discriminating duties, and if adopted, would have been unavailing, since, not embracing a repeal of the restrictions on the circuitous intercourse, it is now understood that it would not have been accepted by the British government, as a compliance with the condition required by the act of the 5th of July, 1825.

It is not intended, by these facts and observations, to convey any reproaches against his majesty's government on account of the unexpected resolution which it has taken. But they satisfactorily show, that the United States could have entertained no doubt of the continued disposition of Great Britain to settle the colonial intercourse by an amicable arrangement, and that there were peremptory reasons for preferring that mode rather than to legislate on the subject.

Supposing even that the determination of the British government not to renew the negotiation on that point had been communicated or known, the specific condition on which American vessels might be allowed to participate in the intercourse between the United States and the British colonies was so expressed in the act of parliament as to have required explanations before it could be complied with.

The condition required from countries having colonies was both distinct and reciprocal. Nothing more was asked than that they should grant to British ships the like privileges of trading with their colonial possessions, which were granted to their ships of trading with the British possessions abroad. No regard was paid to the importance of such colonial possessions. Sweden, by permitting British vessels to trade with the island of St. Bartholomew, was allowed privileges which were offered to the United States on very different terms. And, with the exception of some of the German states, those terms applied to no other maritime power than the United States. All this Great Britain had a right to do; no complaint is preferred on that account; it was the condition which was required from them which they had to consider.

That condition was, that the United States should place the commerce and navigation of this country (Great Britain), and of its possessions abroad, upon the footing of the most favoured nation. Had the condition been limited to the commerce and navigation of the British colonies; had it been so intended and expressed, as that the United States might have satisfied it, by placing the intercourse between their dominions and the British colonies on the same footing in every respect, as the intercourse between the United States, and the colonies of the most favoured nation; the condition, though not altogether free of objection, would at least have been apparently reciprocal. To require besides, that it should be extended to the commerce and navigation of Great Britain generally, that it should embrace that intercourse between her and the United States which is regulated by a special convention, that they should grant any privilege in that intercourse to British vessels, not stipulated by that convention,
as the price for the permission of trading with the British colonies, was a total departure from the principles of a just reciprocity.

But it appeared also extremely difficult, if at all possible, to understand what was meant—by placing that commerce and navigation on the footing of the most favoured nation.

If Great Britain only asked to be placed on that footing, on giving the same equivalent which any other foreign nation may have given to the United States, in order to have privileges which she does not enjoy, the navigation law of the United States has already made provision in that respect. There is no privilege enjoyed in the United States, by the commerce and navigation of any foreign nation, which Great Britain may not obtain, by allowing to them the same reciprocal advantages which they enjoy in the ports of such foreign nation, and on which such privilege depends. To comply with the condition thus understood, the United States would have had no new act to perform. This could hardly be presumed to have been the intention of the act of parliament.

But if, by that act, it was intended to require, as the condition for allowing to American vessels the privilege of trading with the British colonies, that the commerce and navigation of Great Britain and of her possessions abroad, should, without any other equivalent, be generally placed on the same footing with the commerce and navigation of any other foreign nation, which, by reason of reciprocal advantages allowed to American vessels, may, now or hereafter, be entitled to greater privileges than Great Britain now enjoys, the condition was inadmissible.

British vessels, and those of several other nations, may now, by virtue of treaty, stipulations, or of other reciprocal regulations, import into the United States, articles of the produce or manufacture of the countries to which such vessels respectively belong, on the same terms, and on the payment of the same duties of tonnage, and on the cargo, as if imported in American vessels. In every instance the privilege is reciprocal, and will cease with respect to any of those countries, whenever vessels of the United States laden with produce of the United States may cease to be admitted into the ports of such country on the same terms as its own vessels.

In conformity with the navigation law of the United States, the prohibition to import, in foreign vessels, merchandise not the produce of the country to which such vessels respectively belong, extends only to the vessels of such nations as have adopted a similar regulation. Great Britain is accordingly one of the few nations to which the prohibition applies.

In pursuance of the treaty concluded in December, 1815, between the United States and central America, whatever may be imported into or exported from either country in its own vessels, to or from any foreign place whatever, may, in like manner, and on payment of the same duties, be imported or exported in the vessels of the other country.

If, therefore, it was meant by the condition required, that the commerce and navigation of Great Britain, and of her possessions abroad, should be gratuitously and generally placed on the footing of the most favoured nations, the United States, in order to comply with it, and, as the price for the permission to trade with the British colonies, would have been obliged—1. to admit the importation of British merchandise in British vessels, on the same terms, and on payment of the duties, as if imported in American vessels, although the convention of 1815 should have expired, and the corresponding privilege was no longer allowed to American vessels in British ports; 2. to admit the importation, in British vessels, of the produce of every foreign country, although the importation into British ports, of the like produce in American vessels, should still be prohibited; 3. if the condition was intended to apply to privileges granted subsequent to the date of the act of parliament, to admit the importation of such foreign produce in British vessels, even without being charged with any discriminating duties, and generally to allow to British vessels, without reciprocity, all the reciprocal advantages to which the vessels of Central America are entitled.

If this was not the intention of the act of parliament, if the words "commerce and navigation of this country," were meant only to include the circuitous intercourse, the expressions used to convey that meaning must be admitted to have been much too general. This last interpretation has been suggested only by the observations that have occurred in the course of Mr. Canning's correspondence.
with the undersigned. If such, or any other admissible construction was intended, the most obvious way of preventing both an erroneous interpretation of the condition, and any unfounded expectations, in reference to a renewal of the negotiations, would have been an official communication of the act of Parliament, accompanied with a full and free explanation of the condition required, and of the intentions of his Majesty's government on the whole subject.

The government of the United States is animated by the most sincere desire to maintain with that of Great Britain not merely the forms of courtesy and amity, but to cultivate a cordial and lasting friendship, to settle every controverted question between them upon principles of justice and reciprocity, and by an enlarged liberality in their mutual intercourse, to advance the real prosperity of both.

Entertaining this desire, it has learnt with regret the resolution of his majesty's government to close the door against those friendly explanations, and that free and mutual exposition of the wishes and views of the parties, so essential between two nations whose interests are so interwoven as those of Great Britain and the United States, and which can be but partially and imperfectly interchanged, if mutual legislation is substituted to negotiation and to the ordinary mode of treating.

As the only alternative which this course has left, it was the President's intention to lay the whole correspondence which has passed between the two governments on that subject, including the instructions given to the several American ministers near his Britannic Majesty, before Congress at their present session. It will remain with that body to decide, whether the Colonial intercourse shall be altogether closed, whether that portion of it left open by the Order in Council shall continue so, or on what conditions compatible with the interests of the United States that trade may be placed.

The Undersigned has been further instructed to give at the same time to his Majesty's government, the assurance, that notwithstanding its late decision, that of the United States will be ready, at Washington or at London, to treat of the Colonial intercourse, whenever it may be the desire or inclination of Great Britain to negotiate on that subject.—The Undersigned, &c.

(Signed) ALBERT GALLATIN.

(Enclosure in No. 5.)—The hon. H. Clay to the hon. C. C. Cambreling, H. R. Department of State, December 25, 1825.

Sir,—I have perused the letter which you left with me, and which is herewith returned, respecting the construction put, at Halifax, upon the late British act of Parliament, opening the trade and intercourse between the British American colonies, and foreign countries. And I have also examined the acts of Parliament of the 4th and 5th George 4th, referred to in the 5th section of the above-mentioned act. The result is a belief, that the Halifax construction is not that which was intended by the British government, or, if it be, that it was designed by an Order in Council to except the trade and intercourse with the United States from the operation of the act, when so interpreted. I should strongly incline to think, but for the opposite view entertained at Halifax, that the act to regulate the trade of the British possessions abroad, passed in July last, did not intend to disturb or affect the trade between the British American colonies and the United States, but meant to leave that trade on the footing which it was put by the aforesaid act of the 4th George 4th, and the subsequent act of indemnity of the 5th George 4th.

That the British government did not look forward to such an operation of the act of Parliament as is about to be enforced at Halifax, I think clear from the following considerations:—

First. It would be inconsistent with professions made by that government to this, and with negotiations between the two governments, contemplated, if not yet resumed.

Second. No notification has been given at Washington or at London of such a purpose as that which, for the first time, is indicated at Halifax.

Third. The British minister here is unadvised by his government of any intention to close the colonial ports against our vessels; and,

Fourth. No information has been received here from any British colonial port, except Halifax, of such intention.

If the Halifax construction be correct, I am persuaded that the British government must have intended to have created an exception to our trade, by an Order in
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Council, which had not arrived at the date of the last advices from Halifax.

If I am right in that conjecture, the order may yet reach that place before, or a few days after, the day fixed (the 5th of January next) for the commencement of the act. I am, &c.

(Signed) H. Clay.

The Hon. C. C. Cambreling, &c.

No. 6.—Mr. Secretary Canning to Albert Gallatin, Esq. Foreign-office, Jan. 27, 1827.

The Undersigned, &c., has the honour to acknowledge the note addressed to him on the 28th ultimo, by Mr. Gallatin, &c., in replying to which, the Undersigned will, as far as possible, conform himself to the example of Mr. Gallatin, in putting aside those points of the question in argument between them which have been already exhausted in argument, and the further discussion of which would not tend to any practical advantage.

The part of Mr. Gallatin's note which appears to the Undersigned to require any observation, relate to matters rather of fact than of reasoning.

Mr. Gallatin complains that the act of Parliament of 1825 was not officially communicated to the government of the United States.

It is perfectly true that it was not: nor has it been the habit of the two governments to communicate reciprocally to each other acts of their respective legislatures.

The act of Congress of 1823, an act, the provisions of which specially affected Great Britain, was not officially communicated either to the King's minister at Washington, or to his Majesty's government by the American minister resident at this Court. So far from any such communication being made, or any voluntary explanation of the bearing of that act being offered, it was not till after repeated and pressing inquiries that his Majesty's minister at Washington succeeded in obtaining from the American Secretary of State the true construction of the most important clause of that act—the clause in which the United States claimed that their trade to the British West-India colonies should be put on the same footing with the trade to the same colonies from elsewhere; and learnt, to his great astonishment, that under that word "elsewhere" was intended to be signified, not only the other dependencies of Great Britain, but the "mother country itself."

The Undersigned, at the same time, begs that it may not be supposed that the British government withheld from the government of the United States a communication of the act of Parliament of 1825 from any notion of retaliation for the omission of the government of the United States to communicate to that of his Majesty the act of Congress of 1823.

He refers to that instance of omission on the part of the American government only in proof.

First. That the ordinary and natural course between States is not to make diplomatic communications of the acts of their respective legislatures; and, secondly, that no inference could be drawn from such an omission on the one side any more than on the other, of (what the Undersigned disclaims of his government) an intentional want of courtesy or respect.

But the act of 1825 did not relate specially to the United States. It held out to all nations of the world certain benefits, (or what were believed by the British government to be so) on certain conditions.

If a communication of the act had been made to one nation, it must have been made alike to all. Such communication would have been liable to different misrepresentations; some governments might have considered it as a solicitation to which they were bound in courtesy to give some answer, explaining their reasons for declining, if they did decline, to avail themselves of the provisions of the act: others might, perhaps, have taken umbrage at it, as an authoritative pretension to impose the legislation of this country upon other nations.

The simplest course was to allow the provisions of the act to find their way to general knowledge through the usual channels of commercial information.

The Undersigned has no reason to apprehend that this course has proved less effectual on the present than on former occasions.

The conditions of the act of 1825 have been accepted and carried into effect by some governments: that of the United States has not thought it expedient to take advantage of them. But the Undersigned cannot but be still of opinion, that the resolution proposed in the House of representatives, at Washington, at the beginning of the last session of Congress, for
the express purpose of urging the executive government of the United States to come into the terms of the act of 1825, the debates which took place upon that proposition, and the final rejection of it by a majority of only two votes, show that it was not for want of a sufficient understanding of the intent of the act of parliament, that the conditions of it were not accepted by the United States.

To one piece of evidence, which proves the perfect understanding in America, not only of the purport and provisions of the act of parliament of 1825, but of the conditions which it would be requisite for the American legislature to perform, in order to entitle the United States to the benefit of that act, the Undersigned might have scrupled to refer (as not being of the nature of a diplomatic document), if Mr. Gallatin had not encouraged him to bring forward any document tending to throw light on the matter in dispute, by citing, in support of his own view of that matter, a private letter from Mr. Clay to a member of Congress.

Early in the session of Congress of 1825-26, a petition from Baltimore was presented to both houses of the American legislature, in which petition it was distinctly pointed out, that the British act of parliament of July, 1825, had not only manifested the readiness of this country to remove all discriminating duties, but also to permit American ships to clear out from British colonies, not, as theretofore, to the ports of the United States only, but to all parts of the world (the United Kingdom and its dependencies alone excepted.)

The petition, with equal distinctness, invited the attention of the American legislature to the conditions on which these advantages might be secured to the United States, and prayed for the removal of the several restrictions imposed by the American act of 1823, not of the "discriminating duties" only, but of the prohibition of what is called by Mr. Gallatin, "circuitous intercourse in British ships;" the petitioners expressly submitting to Congress the propriety of admitting British vessels, from whatever ports, on the same terms as the vessels of the most favoured nations.

It appears from the reports of the proceedings of Congress, that it was against the prayer of this petition (but without impeachment of any of its allegations) that the decision of the American legislature, at the close of the session, was taken: it cannot be doubted, therefore, that the American legislature, had the whole purport and bearing of the act of 1825 full before their eyes.

The fact, that some of the British authorities abroad took upon themselves to suspend the execution of the act of 1825, towards the United States, is undeniable.

But the only effect of this suspension was—the continuance of the benefits of the then existing state of things to the United States, for nearly a twelvemonth longer than they would otherwise have enjoyed it.

That continuance was permitted by the British government mainly in consideration of the then pendency in the legislature of the United States, of the resolution herein before mentioned, for conforming to the conditions of the act of 1825.

Immediately upon the receipt of authentic intelligence of these proceedings at Washington, an instruction was sent out to Mr. Vaughan, grounded on the belief of the British government, that Congress would not separate without adopting the resolution then under their consideration. In that case, and upon receiving an assurance from the American government that the restrictions and charges on British shipping, and British colonial produce, would be withdrawn by the United States, Mr. Vaughan was authorised to deliver a note to the American Secretary of State, declaring—that the discriminating duties imposed upon American ships and their cargoes in the West Indies should immediately cease. Mr. Vaughan was actually in possession of this instruction, when the resolution, on the assumed adoption of which the instruction to Mr. Vaughan had been founded, was rejected. It was no part of Mr. Vaughan's duty to make any communication upon the subject to the American government before the result of the discussion was ascertained. After that result (wholly unexpected in this country), any such communication would have been not only useless, but might, perhaps, have been considered as an improper appeal against the formal decision of the American legislature.

That Mr. Vaughan should not afterwards have been authorised to enter into any discussion of the provisions of the act of 1825 "so late as October last," is not surprising, when it is considered that Mr.
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Vaughan, immediately after the close of the session of Congress, was instructed to announce the intention of his Majesty's government to pass the order in council of July (consequent upon the decision of the American legislature), by which the terms of the act of 1825 were virtually declined.

Mr. Gallatin accounts for the rejection of the resolution, proposed to the American legislature, by the persuasion which, he says, the government of the United States entertained, that the negotiation on the subject of the commercial intercourse between the United States and the British West-India colonies would be renewed.

The undersigned is at a loss to understand on what ground it was assumed at Washington, that there would be, at all times, an unabated disposition on the part of the British government to make the trade of its West-India colonies the subject of diplomatic arrangement.

The circumstances of the case were entirely changed.

Repeated negotiation had failed to produce any material approximation of opinions upon that subject.

The last attempt at an adjustment had been made, with an evident conviction on both sides that there existed between them an unconquerable difference of principle, and that it was by that difference, rather than by any decided irreconcilableness of interest, that a satisfactory arrangement was rendered hopeless.

The nature of that difference has been sufficiently discussed; it lies in the determination of the United States to dispute, and in that of Great Britain to maintain, the established distinction between general and colonial trade.

Great Britain had, therefore, an obvious motive for doing thenceforward whatever she might think it right to do, in relaxation of her colonial system, rather by the instrumentality of her own legislature than by compact with a State, with which she disagreed in opinion, as to the principles of colonial trade, so widely, that it would have been impossible to construct a preamble to a treaty on that subject, in the enunciations of which the two contracting parties should have concurred.

But there was yet another reason for avoiding further negotiations upon the subject.

Hitherto, when the trade with the British West-India colonies had been opened at

March 26, 1827.
the British Government may think (even if erroneously) disadvantageous to its interests cannot give just cause of offence to any power whatever.

In the present instance the undersigned is most happy to be able to qualify such refusal with the declaration, that it is not in any degree dictated by sentiments either unfriendly or disrespectful to the United States, or by any indifference to the amicable settlement of all other questions, at present pending between them and Great Britain.

Of these questions, one has been already happily arranged since Mr. Gallatin's arrival in this country.

The undersigned looks forward with confidence, no less than with anxiety, to such an arrangement of the remainder, as, facing all traces of past discussions, and satisfying all fair and reasonable pretensions on both sides, may secure, for a long period of years to come, reciprocal good understanding and good will between two kindred nations. The Undersigned has the honour, &c. (Signed) GEORGE CANNING.

**Financial State of the Country.**

**Financial State of the Country.**

The Chancellor of the Exchequer moved the order of the day for the House resolving itself into a Committee of Supply. On the question, that the Speaker do now leave the chair,

Mr. Maberly said, he should not have risen to oppose the motion for the Speaker's leaving the chair, had he not felt it to be necessary to call the attention of the House to the state of the finances. He supposed the right hon. gentleman intended, when the House was in a committee of supply, to move for a vote on account. Now, he thought that the House ought to come to a resolution to vote, at the commencement of the session, small sums on account of the several branches of the public service, and to defer the voting of large sums until it was made acquainted with the sources from which the money to make them good was to come. Last year, the right hon. gentleman had told the House, that he had a sinking fund of 8,000,000l. when in point of fact he had no such thing. He had also told them, that it was necessary to diminish the unfunded debt, and had absolutely been allowed to raise a loan of 8,000,000l. to do so. Now, he should like the right hon. gentleman to tell the House what he had done with the sum which he had raised for that purpose?

The right hon. gentleman carried, he believed, the act which he obtained into execution; and he was informed that the right hon. gentleman had received 3,500,000l. in Exchequer-bills, and the remainder in money. Now, that loan was granted for the express purpose of paying off 6,000,000l. of the 11,000,000l. due from the government to the Bank. What, he would ask, had the right hon. gentleman done with the proceeds of the loan after he had obtained it? Why, he took the 4,600,000l.—which he had received in money, and which he had obtained for a specific purpose—and applied them to the ways and means of the year, and to what he was pleased to denominate the sinking-fund. The hon. member then asserted, that no reduction in the amount of the unfunded debt had been effected by the loan which the right hon. gentleman had obtained last year. He had been informed that the right hon. gentleman had appropriated 1,000,000l. to the service of the sinking-fund for the present quarter. Now, he should like to know where the right hon. gentleman was to get that sum? Not from the revenue, he was quite sure. He must either borrow it from the Bank, or get it from some quarter with which the House was not, though it ought to be, acquainted. He did not blame the right hon. gentleman for not having a revenue equal to his anticipation, but he did think that, in consequence of the defalcation which had taken place in it, the whole subject of our revenue should undergo the investigation of a committee. The consideration of our finances ought not to be deferred till May; it ought to be undertaken immediately. When our finances were in a flourishing state, the right hon. gentleman had brought on the budget early; now that they were in a deranged state, he deferred it to the latest opportunity. He contended that the right hon. gentleman had no sinking-fund of 5,000,000l. this year; and that he ought therefore to state his ways and means before he asked the House to grant a supply of 20,000,000l. Without having any wish to embarrass the right hon. gentleman, he felt himself under the necessity of opposing the motion for the Speaker's leaving the chair.

The Chancellor of the Exchequer said, that the hon. gentleman had declared that
he had no intention to embarrass him; but if he were to be drawn by the hon. gentleman into a premature explanation of his plans for the year, he should not only be greatly embarrassed himself, but should produce much embarrassment and inflict infinite mischief, upon the public. Now, as he did not wish either to embarrass or to injure the public, he must decline, with all courtesy to the hon. gentleman, to answer any of his questions. Not that, by so doing, he intended to admit that any of the hon. gentleman’s statements were correct, or to conceal, or wish to conceal, the financial circumstances of the country from the House, when the proper time came for disclosing them. It would be absurd in any man who filled the situation which he had the honour to fill, to think of mystifying its accounata. He had no such wish: he only wished to avoid being drawn prematurely into a statement, which, if misunderstood, might do much mischief. The hon. gentleman had complained, that he had postponed his annual statement of the finances of the country, because they were not in a flourishing condition. Now, he begged leave to say, that he had done no such thing. He had stated, on a former occasion, why it had been impossible for him to do that which the hon. gentleman seemed to think he ought to have done long since. He found that, at the close of last year, circumstances affecting the foreign relations of the country had occurred, which made the sending out an armament to assist its ancient ally, the king of Portugal, a matter of indispensable necessity. That armament could not be sent without causing an expense which was not anticipated; and, although the expense of maintaining it was to be repaid hereafter by the Portuguese government, still it was necessary to provide funds for it in the interim. Until the effects of that armament were seen, until the time of its stay was calculated, until the extent of the operations in which it was to be engaged was fully ascertained—it would have been absolute madness in any minister to have attempted to inform the House that the finances of the country would only be affected to a given amount, in consequence of that armament. When his majesty sent down to the House his message, informing it of his intention to support his ancient ally the king of Portugal, the House, by an immense majority, determined to support his majesty in the policy which he had adopted. Therefore, if parliament, when it met, had postponed giving effect to that policy, it would have adopted a course which would have been most prejudicial to the success of the measures, in behalf of which it had previously voted. That was the reason why he had said, that it would be impossible for him—without reference to any considerations immediately personal to himself, which he allowed that he could not call upon the House to notice—to bring forward at an early period of the session the general finance of the country. He reminded the House of the course which he had hitherto pursued with regard to the budget, and desired them to infer therefrom, that he had no desire to postpone the consideration of the financial state of the country, because it appeared to some gentlemen not to be in the most flourishing condition. In January 1823, he was appointed to the office which he now had the honour to fulfil. It was a department entirely new to him; and he had, he confessed, his lesson to learn; but, notwithstanding all the difficulties of his situation, he had brought forward his financial statement on the 21st of February. In 1824, he had brought it forward on the 23rd of February. He at that time stated his decided opinion as to the principle on which he meant to act. He thought, and he then made the declaration, that it was indispensable, in time of peace, that the statement of the finances of the country should be laid before the House at the earliest possible period. In 1825, the budget was submitted to the House on the 28th of February. Last year it was not introduced until the 16th of March. That, however, was not his fault. The statement was prepared and ready at a much earlier day; but the House must recollect how much parliament was at that time occupied with the important question of the currency. And he could assure the House, that it was sorely against his desire, that his financial statement was put off from day to day. He thought he had now shown, pretty clearly, that he harboured no wish to put off the business unnecessarily; and though he would not do so foolish a thing as to promise, that, under every possible circumstance, he would bring forward, at a particular time, his financial statement—still he thought the House would not sup-
pose, because it was impossible for him to introduce the statement this year so early as gentlemen wished, that he felt any disinclination to do so at a proper season. He had already shown what his sense of duty was. He conceived the course he had adopted, in the outset, was a right one. So far as the government was concerned, the putting off to a late period the financial statement was the most inconvenient course that could be pursued: and, but for the circumstances he had stated, it would have been in readiness long before. Now, he would ask of the House, whether, in fairness, he could, with any view to the public advantage, enter into a partial discussion of this subject—which would, he must say, be wholly unintelligible? He had, the other day, asked for the means of defraying the army and navy estimates, agreeably to the pledge given by the House, in answer to the king's message: and he had then observed, that the vote for civil contingencies, with respect to some of the items of which a dispute might arise, should not be called for, until the account was perfectly ready. His motion, this evening, would only be for a certain sum, on account. He had not done anything unreasonable in taking this course; and, whatever might be the opinion of the hon. member, he thought it his positive duty to seal his lips on this subject, until he was ready with the whole statement.

Mr. Maberly said, he wished an estimate of the supply and of the ways and means to be laid on the table.

Sir J. Wrottesley said, that 20,000,000l. had already been voted for the army, navy, and ordnance, without sufficient attention having been paid to so large an appropriation of the public money.

The Chancellor of the Exchequer said, that only 18,600,000l. had been voted.

Sir J. Wrottesley was of opinion, that not more than 30,000,000l. had been voted; and it was high time that the House should endeavour to lessen so enormous an expenditure. There might, he was convinced, be a very great reform effected in all the establishments of the country: and he warned the right hon. gentleman, if he came forward to lay any more burthens on the country, that he would, if he stood alone, oppose such a proposition, and call for some reform in the expenditure of the state. The question, relative to an issue of Exchequer bills, which was put to the Bank directors a few days since, had not been satisfactorily answered by the hon. governor, or by the right hon. gentleman; and he now entreated him to consider the inconvenience which the country would experience if there were a fresh issue of Exchequer-bills. They had now Exchequer-bills outstanding to the amount of 25,000,000l.; and the Bank had 21,000,000l. of notes in circulation, which it was not in the nature of things that they would be called on to pay. But if any unfavourable circumstances arose in the foreign policy of the country; the right hon. gentleman might be called on to pay those 25,000,000l. of Exchequer-bills, without a shilling in the treasury to meet the demand. Was that a situation in which the country ought to be placed? He knew that the Exchequer-bills carried a very low rate of interest; but, in what a situation were they placed a twelvemonth ago, when they were obliged to cancel a part of those Exchequer-bills! If the sinking fund had been made use of on that occasion, they would have received 100l. for 100l.; but, instead of doing that, they employed it in purchasing three per cents at 95l. and 96l.; and when they wished to contract the amount of Exchequer-bills, they funded in the four per cents at 107. If what happened last November should occur again, Exchequer-bills would, undoubtedly, be at a discount. He warned the right hon. gentleman to pause before he increased the quantity of Exchequer-bills. If, in future, there should be a fair surplus revenue, he trusted that the right hon. gentleman would get rid of the delusion of a Sinking-fund, and employ that surplus in relieving the country from a portion of its burthens. If, in that case adverse circumstances should occur, the government would be enabled to defend the country with effect, or to assist the merchants, should they be in distress.

Mr. Hume protested, on the part of the public, against the procrastination of business of so important a nature. He had heard nothing from the right hon. gentleman, but that particular circumstances had prevented him from bringing forward his annual statement. But what those circumstances were, he did not know. It was pretty evident, however, that if there was no government, as was in some degree the case at present, no business of importance could be brought before the House. The hon. member for Callingtse...
had, on a former night, very justly ob-
served, that he did not know of whom the
administration consisted, or who were the
responsible parties. This was a very se-
rious evil, and ought to be rectified as soon
as possible. The right hon. gentleman
said, it would be madness for him at the
present moment, to state any thing about
the financial situation of the country: but,
it was greater madness to adopt the con-
duct of an inconsiderate spendthrift, and to
plunge into expense, without knowing
what they had to meet it. The reasons ad-
duced by the right hon. gentleman for de-
lay were quite insufficient. Why not lay
on the table of the House the items of ex-
penditure, to show why the expense in
particular departments this year, went be-
yond that of other years? The rule
which the right hon. gentleman had laid
down on entering office was, to produce
the accounts as early as possible, and he
had done so for four years; but he now
said, “I cannot lay my statement before
you, because I do not know what the ex-
 pense on account of Portugal may be.”

This was the worst possible reason that
could be devised. Having been hurried,
by a species of madness, to meddle with
other people’s affairs, instead of minding
their own, they were now told that no es-
timate could be formed of the probable ex-
 pense that would attend their interference.

Much had been said about entering into
this dispute, for the purpose of upholding
the honour of the country; but, in his
opinion, it would redound more to the
honour of the country if they maintained
their credit, by paying their debts, instead
of creating fresh ones.

The House having resolved itself into
the committee,
The Chancellor of the Exchequer said,
the estimate of the civil contingencies for
1827 was 290,000l. This was lower than
the estimate of last year, and what he now
proposed was, to ask for 200,000l. on ac-
count. That was the only vote he meant
to submit to the committee.

Mr. Husm said, he always had, and al-
ways would, object to this mode of voting
money; and he would take that opportu-
nity of calling the attention of the Secre-
tary for Foreign Affairs to one or two items
in the accounts of civil contingencies.

Some gentlemen in this new parliament
were not, perhaps, aware of the expense of
the diplomatic service. They ought to
know, that 236,000l. were voted for it in
the civil list. Under the head of “conting-
gencies,” there were in addition to that,
200,000l.; and there were 88,000l. extra-
ordinary, in addition to the 226,000l. of
the civil list. Last year, the minister to
the court of France (for it seemed to be con-
sidered necessary that this country should
vie with the Autocrat of Russia, in hav-
ing the most splendid palace for the rep-
resentative of his majesty) caused 11,000l.
to be laid out in the purchase of a superb
building. This sum was taken from the
civil list. There was besides a charge of
between 16,000l. and 17,000l. for the ex-
traordinary expenses of his suite; and
12,586l., in addition to the sum taken
from the civil list. Thus a sum of be-
tween 23,000l. and 24,000l. was laid out
for one individual as the representative of
Great Britain at the court of France.

The diplomatic expenses, including plate,
for the last year, amounted to 364,000l.
This, however, was exclusive of a large
grant for consuls and missions to South
America. So that there was nearly
500,000l. a-year expended on the diplo-
matic service. This scale of remuneration
was far beyond what the country could
bear; and therefore he objected to voting
the present sum. The expense of the di-
plomatic department in nine years, ordi-
inary and extraordinary, had been
3,000,000l. sterling. Now, he put it to
the right hon. gentleman and his col-
leagues, whether this expenditure ought
to be tolerated, when they saw their table
covered with such appalling statements of
distress? When their countrymen were
in rags, and absolutely wanting food, was
it fair to support a few individuals in such
splendor? It kept up an appearance,
on the part of England, which she was
not able to support. The people on the
continent imagined, on account of this
system of extravagance, that England was
overflowing with wealth; when in fact the
country was a patch-work of pauperism
and wretchedness. The expense of this
department ought to be cut down to
160,000l. per annum; and then it would
be twice as much as it was in 1795. He
observed, that there was likely to be an-
other addition to the public expense; as
it had been announced, that the marquis
of Hertford was about to be despatched
to the court of Russia, in compliment to
that monarch. Let them look to the si-
tuation in which they were placing them-
selves, by this act, with reference to that
power. It would make the emperor more haughty and imperious than ever. He would suppose that this country was humbling herself to conciliate his good graces. Last year, the duke of Wellington was sent on a special mission to Russia, which cost the country 6,536l. The duke of Devonshire had also been sent on a special mission to that court, on occasion of his imperial majesty's coronation; for which a charge of 10,000l. was made. Now, they had been told, that the duke of Devonshire would defray all the expense himself. [It was here intimated, that it was the duke of Northumberland who had expressed his intention of bearing all the expense, when he attended the coronation of the king of France.] He certainly never understood that the duke of Devonshire, who was a particular acquaintance of the emperor Nicholas, was to be repaid. At that very time, too, we had an ambassador to Russia who was costing the country 16,000l. or 17,000l. a year; for in these matters there were no small sums, and tens of thousands were the only figures employed in connection with ambassadors and royalty. Yet, after this expenditure on diplomatic ceremony and court etiquette, another mission was about to be fitted out to the same prince. Neither was extravagance of this kind limited to the old world; the republics of the new were to be initiated into the mystery of spending money without limit or object. Sir C. Stuart had been sent to the Brazils at an expense of 12,000l., to which was to be added a fresh charge for his secretary, lord M. Hill. Besides all this, there was a sum of 25,000l. for presents of snuff-boxes to foreign ministers. Was it fair to ask, if our own ministers received 25,000l. in the same way? He hoped they did, in order to keep up the reciprocity of the transaction. In India if the same amount as was given in a present, was not returned in the same way, it was considered an insult. But to come to these items. The first was a present, to the amount of 1,000l., from his majesty to the French Chancery, on the exchange of the ratifications of a commercial convention. The next was a sum of 500l. to the Swedish Chancery, on the exchange of the ratifications of a convention. Then there was to the chevalier de Los Rios, late envoy extraordinary from the king of Spain, upon the termination of his mission, 400l.; so that an ambassador, on his coming, received a present, and when he was going away, he got another. The next item was 500l. to colonel Hamilton, for having brought from Bogota the treaty with Colombia. A sum of 23,532l. then followed, which was paid to Mears, Rundall, and Bridge, for gold snuff-boxes, as presents from his majesty to foreign ministers on different occasions. Among these were, to count Ozarowsky, charged with a special mission to his majesty from the emperor of Russia, 788l. 10s. The next item was for boxes to the Swedish minister, the Russian minister, and to the minister of the United Provinces of Rio de la Plata, 3,333l. Then, to the Colombian ministers, on the exchange of the ratifications of a treaty, there was 1,963l. 10s. Now, he objected to this as setting a bad example to republics, and as being an attempt on our part to corrupt these honest, unsophisticated states. The hon. member then alluded to presents to the amount of 836l. 15s. to the minister of the Haps Towns; 1,085l. 15s. to prince Polignac; 4,556l. 12s. to the ministers of the Ottoman Porte; and to his grace the duke of Northumberland, a diamond hilted sword, value 10,812l. Considering such items as these in the light of an extravagant waste of the public money, he felt every disposition to oppose the present vote.

Mr. Secretary Castling (who spoke in an exceedingly low tone) was understood to say, that the vote which the hon. member opposed, and all the items which he had submitted to so minute an examination, had already received the approbation of the House; inasmuch as they were included in the estimates, not of the present, but of the preceding year. Under these circumstances, it might not have been necessary more particularly to notice the hon. member's objections, had not names been alluded to in the course of his speech, which every one in that House must know were entitled to the utmost respect. The hon. gentleman had said, in reference to the mission of a noble duke to a foreign court, that he had been informed that the embassy had been intrusted to that noble person, on the condition, and with the understanding, that its prosecution should be attended with no expense to the country; and further, the hon. member appeared to suppose, that some such arrangement, expressed or implied, had been, on a former occasion, alluded to in that House. Now he was at
issue with the hon. member on that fact. So far from any such assurance having been given, the direct contrary was distinctly understood. With respect to the dukes of Northumberland and Devonshire, he was clearly of opinion that no man, however exalted his station, or affluent his private fortune might be, should be allowed to represent and support the dignity of this country, in the eyes of foreigners, at his own expense. If the duke of Northumberland had made a considerable advance of money out of his own private funds, to sustain, in a becoming manner, the character of this country, for liberality and hospitality, at the court of France, it was quite right that he should receive some testimonial, if not a remuneration, for his services. With regard to the duke of Devonshire, who went to the court of St. Petersburg, on a special embassy to the emperor of Russia, on the occasion of his coronation, he could assure the hon. member, on his word of honour, that the 10,000l. which had been granted, was a sum which nothing like defrayed the expense incurred by that nobleman in his mission. In fact, it did not cover one third of the expense of the noble duke on that occasion. He repeated, that it was against his judgment and wish, that individuals, however exalted, should be placed in such situations, and permitted to bear any part of the cost. However, he should probably gratify the hon. gentleman, by assuring him, that the noble marquis, to whom he had alluded, was going out at his own expense. This was contrary to his wish; but, on the present occasion, he had been obliged to give way to the noble marquis, although he did not approve of allowing private individuals to take a high office, and sustain its dignity from their own private resources, and without expense to the country.

Mr. Hume said, that the right hon. Secretary had taken no notice of the repairs of the English Ambassador's palace at Paris.

Mr. Canning said, it was really useless to give explanations to the hon. member, for he went on repeating his objections, as if nothing had ever been said to enlighten him. He had, on a former occasion, told the hon. member, that he had no more to do with the purchase of the palace in question, than the hon. member had. Two years ago a question arose as to whether it would be better to sell the palace or repair it. Surveyors were sent from England to report on the subject. They reported in favour of repairing it; which was accordingly done. It was most unfair in the hon. member to add the accidental expense occasioned by repairing the palace to the salary of the Ambassador, for the purpose of making it appear that the annual charge was enormous. It was not lord Granville who decided upon the repairing of the palace, but the Treasury.

The motion was agreed to.

CORN LAWS.] The House having resolved into a committee to consider further of the Corn Trade acts, the report was recommitted.

Mr. C. Grant said, that in compliance with the wishes expressed by the House on a former night, he had altered the resolutions, in order to accommodate them to the imperial measure. It was not necessary to state the grounds on which he had made his calculation, but would only state the result at which he had arrived. The duty proposed to be payable upon wheat per quarter Winchester measure was 20s. when the price should be 60s. The corresponding price of the imperial measure would be 61s. 10¾d., and the corresponding duty would be 90s. 7¾d. He had taken the price at 62s., and the duty at 20s. 8d. The duty would then go on rising and descending as before proposed, without any alteration of the resolutions. As the resolutions at present stood, the duty upon barley, when the price should be 35s. Winchester measure, was fixed at 12s. He now proposed that the duty should be 12s. 4d., when the price should be 33s. imperial measure. The duty on oats was 9s. when the price was 24s. Winchester measure: he proposed that the duty should be 9s. 3d. when the price should be 25s. imperial measure. The duty upon rye, peas, and beans, was fixed at 16s. when the price was 36s. per quarter. The corresponding price and duty per imperial measure would be 35s. and 15s. 6d. With respect to oatmeal, it was extremely difficult to calculate how much could be produced from a given quantity of oats. He had calculated the produce at 196lb. per quarter, but he had received representations, that no such quantity could be produced. He had, therefore, thought it right to refer to the act of 1791, in which it was fixed at 176lb. per quarter. According to this standard, the corres-
ponding quantity per imperial measure would be 1811lb., the duty upon which would be the same as that on a quarter of oats.

The resolutions, thus altered, were then read by the chairman.

Lord Althorp wished to call the attention of the House to one point; namely, whether the duties ought to be taken according to the average prices of one week, or from the averages of several weeks together. He knew there were many advantages in favour of the former system, but he thought the disadvantages were greater, seeing that it would enable persons of large capital to affect the duty to a very material extent. He preferred that the duty should be taken according to the estimate of six weeks instead of one.

Mr. Irving believed that the House was mistaken, with respect to the power of the corn merchants. In former times, there were a few individuals who, possessing large capitals, were able to control the market; but now it was quite otherwise. The inducements to men of great capital to continue in the corn trade had long ceased; and in that, as in many other trades, the capitals of the middle-men had been lost. There was, therefore, little reason to fear any combination that could materially raise prices; more especially when the House considered, that it was absolutely necessary, in purchasing up the corn in the home market, that the money should all be laid down.

Mr. Alderman C. Smith said, that such a combination might take place, and therefore, it would be well for the House to guard against it. The safer course would be to take the average of six weeks, instead of one.

Colonel Wood also thought it desirable that this course should be pursued, to guard against the possibility of danger, arising, not only from speculation, but from bad seasons. The House would recollect, that in 1817, in consequence of severe rains, and the apprehension of a bad harvest, wheat, within the space of ten days, had risen to 100s. per quarter: and this might happen again.

The Chancellor of the Exchequer said, that although it was true that the price of corn had risen as high as had been stated by the hon. member, yet, the circumstances referred to by him, had no connection with fraud; and did not, therefore, bear upon the argument. His own impression was, that such an alteration as that proposed would be neither useful nor necessary. The hon. member for Bramber had stated, that the country would have a better security against fraud, if the estimates were taken weekly; and reasoning a priori, he had come to the same conclusion.

Mr. Baring admitted, that the authority of the hon. member for Bramber was very strong in favour of the weekly average; but he could not help thinking, that some period longer than a single week would give more security against the dangerous effects of speculation. It might be quite true, that no one great House could command the corn trade; but the House should recollect, that they were legislating not for a particular year, but for a series of years. He confessed he was apprehensive that the corn merchants might meet and combine at little expense to raise the price for a week. He was not, however, for adopting the period of six weeks. He thought that if the averages were taken every four weeks, the possibility of mischievous combinations would be prevented.

Mr. Littleton argued, that if the period were limited to three weeks or a month; the security would be greater.

Mr. Whitmore said, he had consulted some authorities to which he attached great importance, and they concurred in assuring him, that the weekly average was decidedly better than the quarterly. From the same sources, he had learnt also, that the practice of fictitious sales had never prevailed to any considerable extent. If it had been possible, undoubtedly it would have been extremely dangerous; as the Corn-market would, at any moment, have been liable to a sudden rise.

Sir J. Newport expressed his surprise at the hon. gentleman's statement. No man could doubt that fictitious sales were made continually. The same wheat was notoriously sold over and over again, on the same day, in Mark-lane. The public, he thought, therefore, would have no security against combinations, unless the term of the averages was at least four weeks.

Mr. C. Grant said, that whatever the right hon. baronet might think, there was a great diversity of opinion with regard to the extent and effect of fictitious sales. He believed that the practice prevailed equally on both sides of the question;
and therein consisted the security of the public. He was rather afraid, that if the parties engaged in a combination to raise prices had three or four weeks before them for their operations, they would be in a more favourable condition for the accomplishment of their purpose. It was possible, however, to throw further safeguards round the public. The receiver of the Corn returns might be armed with a power to reject any bargain of unusual magnitude and suspicious appearance. Another suggestion he would throw out was, that the London returns should be combined at once in striking the average with the returns from the country, instead of waiting for them as at present.

Mr. Baring reminded the House that they could not fairly judge what would take place under the new law, from what had taken place under the existing law. Under the system of weekly averages, the struggles of speculators would be much more frequent. Now there was a bustle, only when the averages approached the opening price.

Mr. Curtis suggested that one precaution might be, that the same corn should not enter into the average, if sold a second or third time the same day. He had known it sold ten times over; and he was sure there were constant frauds practised in the corn-market.

Sir J. Wrottesley was adverse to the period of four weeks for taking the averages. Fraudulent speculations would thereby be greatly assisted, as the price might be raised considerably every week. He was favourable to the shortest period possible beyond a single week; say two, or at the utmost, three weeks.

Mr. Ireton said, that combinations to raise the price of grain were already a misdemeanour at common law. His right hon. friend might introduce some additional penalties into the bill, which would effectually suppress the practice, if it really existed.

Mr. Walrond said, that much of the irregularity and uncertainty in the taking of the averages, originated in the system of selling by samples, in the country, by which, neither the farmer nor the purchaser being bound, those sales were frequently not carried into effect, yet were always taken into account, as actual sales. The practice in London, of selling by tickets, by which both parties were bound, ought to be made universal.

Sir E. Knatchbull denied that combination or fictitious selling took place among the agriculturists. They had no opportunity for such acts; nor were they people of a character or inclination to commit them.

Mr. N. Calvert put no particular faith in the character or inclination of the agriculturists; but he thought it pretty nearly impossible for them to combine.

Mr. Whitmore believed it was already the custom of the receivers of averages in country towns to leave out any contracts which bore very decided marks of fraud.

Mr. Charles Barclay would not deny the claims of the farmers to the character for probity which the hon. baronet had given them; but he would remind the committee, that since the year 1815, the importation of foreign oats had been prevented by some combination or other, which was effected, he believed at Boston. Precaution was therefore necessary.

The resolutions were agreed to.

HOUSE OF LORDS.
Tuesday, March 27, 1827.

ROMAN CATHOLIC CLAIMS—SELECT VESTRIES IN IRELAND.] Lord Holland said, he held in his hand two Petitions, which had been sent to him to be presented to their lordships, one of which came from the Roman Catholic Inhabitants of the parish of St. Peter, in the county of Drogheda, and the other from the parish of Naas, in the county of Kildare. The prayer of both the Petitions was to the same purport; namely, that their lordships should repeal an act of the present king, which had been passed in the last session, respecting Select Vestries in Ireland. With respect to the allegations contained in the petitions regarding that particular act, he was not able to say any thing; as he had no local knowledge of the circumstances. He believed that act was passed with a view to lessen the evils which were complained of; but it had, as the petitioners stated, greatly aggravated those evils; and, if only half of the statement of the petitioners were true, concerning which he begged to be understood, as not saying any thing, he had no hesitation in declaring, that the act ought to be immediately repealed. He wished to be understood as delivering no opinion of his own on the subject; as he was not very well acquainted with the circumstances of the case,
from not having had the advantage of attending the discussion which had taken place last session on the subject. All he had to state was, that the petitions were, in point of form, unexceptionable, and in language highly respectful. He therefore conceived that there could be no objection to receiving the petitions, but for one circumstance. One of the petitions, in urging a repeal of the act he had mentioned, stated, what, although it might be very true (which he did not, however, take upon himself to say) was certainly extremely unpleasant for their lordships to hear, and what he thought was doubtful whether part of their lordships would admit. The petition stated, that the church of Ireland was the richest church in all the world, where so few persons professed the faith of that church. The petition stated, that a very large proportion of the people of Ireland did not profess the faith of the Established Church. The petitioners also stated, that by the ancient laws of the country, and by the common law, which, for all they knew, was still in existence, a part of the revenues of the church ought to be appropriated for the relief of the poor, and the building and repairing of churches. The petitioners also stated, as he was informed by the letters of the persons who had sent the petitions to him, for he had not read them thoroughly, that at the time when the church and its revenues were transferred from the control of their Catholic progenitors to that of the Protestant establishment, the churches were in complete repair, and that no additional churches were required to be built; but that by neglect or abuse, or by evasion of the law, the churches had been allowed to get into total decay; and the petitioners complained, that the act of parliament laid on the Roman Catholics the burthen of repairing those churches which had been incurred by some of the ministers of the churches themselves. That was what had been stated to him. He had no intention of moving anything at present on the subject. He was aware that some persons might say, "You see that the intention of the Roman Catholics is, to subvert the Irish Protestant church: you see in that petition a proof of that which we have repeatedly stated to parliament, namely, that the Roman Catholics are actuated by a hostility to the Protestant establishment." All he could say in answer was, that if such were the views of the Roman Catholics, and if such hostility did exist in their minds against the Protestant church, it was created by those very persons who made that objection. The people of Ireland might submit to the payment for the support of that church, the faith of which they did not profess: they might submit to that payment without feelings of irritation, when they considered that that church was preferred by the opulent part of the county, and cherished and protected by a large portion of the empire to which they belonged. But when they were told, and told repeatedly in the most emphatic manner, that that church was the great bar to the enjoyment of their rights, it was a little too much to expect that they should not be actuated by feelings of hostility; or to suppose, that when parliament chose to thwart the only mode which could lead to peace and good government, that they should not wish to destroy that edifice which had divided, for a long period of time, the Roman Catholics from their privileges. But it was the rejection of the claims of the Roman Catholics by persons who were opposed to the measure, which alone had raised that hostility, and given effect to those feelings of irritation. Before he answered the objection of those persons who thought the constitution would be endangered by granting those claims, he wished them to point out, in what manner the admission of a few Roman Catholics into parliament would add one jot to their power, while at the same time it might diminish some of the hostility which existed. Upon those persons must the responsibility fall; and they must be answerable for all the effects which the frequent rejection of the Catholic claims might produce. He beheld with some degree of concern the natural effect which the rejection of the claims of the Catholics of Ireland had produced in that part of the empire.

The Earl of Longford said, he had not intended to offer a word on the subject, knowing how inconvenient to the House such conversations were; but when their lordships heard such remarks as the noble lord had just made, brought forward from day to day, he could not let them go forth to the country without some observations, and in doing so he should confine himself to the last remark of the noble lord. The arguments for granting
the Roman Catholic claims might be regarded in two points of view. The first was one of general policy, resulting from motives of expediency or justice; and the second was, with respect to the effect which the granting of the Catholic claims would have on the tranquillization and amelioration of the condition of Ireland. He doubted the justness of those opinions. It was now a hundred and fifty years since those restrictions had been imposed which excluded the Roman Catholics from political power. Repeated opportunities had occurred for considering, reconsidering, and discussing, the object of those restrictions; and every time Parliament had decided, that those restrictions were necessary and politic, and every time had objected to repeal the laws which enacted them; and he was surprised how any person could declare that those restrictions were unjust, which the law proclaimed to be just. He was quite sure that every time this subject should be discussed, their lordships would be more and more convinced, that the continuance of these restrictions were both just, and necessary to preserve the Protestant constitution. When equal privileges were demanded, equal securities ought to be given. It was principally on account of the political results, that parliament was induced to give a constant and uncompromising denial to the claims of the Catholics.

Lord Holland said, the noble lord was mistaken, if he supposed the petitions referred to the repeal of the Roman Catholic restrictions.

The Earl of Longford said, he had not intended to advert to the petitions, but to the observations of the noble lord; and when the noble lord stated, that the responsibility was upon those who rejected the claims of the Catholics, he must say, that the responsibility was upon those who would do away with restrictions, which were so necessary to the security of the country, and who would tear away the bulwarks of the constitution.

The Earl of Belmore presented two petitions from the Roman Catholic inhabitants of parishes in the counties of Fermanagh and Tyrone. He would not enter into the general merits of the question at present, but would take the liberty of remarking, that not only the noble lords who were of the same opinion as himself on the subject of the Catholic claims, but also those noble lords who were of a different opinion, were relieved from all responsibility, by the acts of the members who composed his Majesty's government, who had gone to the full extent of concession to the Roman Catholics, without giving them political power. The only question now was, whether they should stop short without completing that plan. He expressed deep regret—not at the fate which had attended the Catholic question in the other House of Parliament, for that circumstance only went the length of showing that opinions were very nearly balanced there, on a subject on which Parliament was not only divided in their opinion, but also his Majesty's Government, but what he felt regret for was, because he could not perceive from the declarations of the opponents in the measure for granting relief to the Catholics, that they limited their objection to time or circumstances. It would be a great satisfaction to him, if he could look forward to a period, however remote, when their opinion would be altered. It appeared that the argument chiefly relied on for the exclusion of the Catholics from power, was, that it was inexpedient to free the Roman Catholics from the disabilities under which they laboured, on account of the principles of the Roman Catholic church. That argument went to the extent of declaring, that the constitution of this country was not calculated for the comfort of one third of the people of the British empire. He, for one, could never accede to such a proposition; nor could he comprehend how those persons who had allowed relief to the Roman Catholics to a great extent, could be satisfied to suffer the laws to remain as they were, and stop short in a system, which had been so well begun, and say that, admitting the Catholics to political power was incompatible with the principles of the British constitution.

Ordered to lie on the table.

Grant to the Duke and Duchess of Clarence.] On the order of the day, for the second reading of the Duke and Duchess of Clarence's Annuity bill, being moved by Earl Bathurst.

Lord King said, that the noble earl, who had just moved the second reading of the bill, had thought proper not to say a word to their lordships on the subject. He had thought that, in such a case as the said sent, the noble lord would have stated that reason for the additional grant.
the circumstance of this bill having been left a long time elsewhere, without any notice being taken of it, there seemed to be a desire to get it smuggled through their lordships' House, without saying a word upon the matter. Perhaps the noble lord thought that, as he was going to make corn dear, it was necessary to raise every thing in proportion. Or perhaps it was because he thought the time favourable for proposing such a grant. He had chosen a favourable opportunity for it while great distress existed among the manufacturers; as next year, probably, there would be great distress among the agriculturists. The noble lord had timed his shot well; he had sent it between wind and water. He did not know the reason why the government had been so long without a head. He certainly wished for an efficient minister, to take charge of such things as the present. He thought the noble lord looked like an efficient minister yesterday. It was high time for their lordships that there should be an efficient minister, for they looked like a flock of sheep without a shepherd, and they were bleating in every note of the gamut; from L sharp to R flat. This was certainly the golden age for princes, for palaces, and for Ireland. He had had a petition to present against the present bill; but he had not known when it was to be read a second time.

Earl Bathurst stated, that his noble friend, the earl of Liverpool, in moving an address in answer to the message of his majesty, proposing an increase to the provision of the duke and duchess of Clarence, in consequence of their present situation, had stated what would be proposed as the amount of that additional increase. His noble friend had stated, that an income of 3,000l. devolved on the duke of Clarence in consequence of the death of the duke of York, and that an addition of 9,000l. was proposed to be made for the maintenance of the duke and duchess of Clarence. He had also stated, that 3,000l. was to go to the duke of Clarence, and 6,000l. to the duchess. Such was the statement which had been made by his noble friend when he moved his address. Their lordships had unanimously consented to it, and he therefore wished to conclude, that they had consented not only to the increase itself, but also to the particular manner in which that increase was to be made. Such being the case, he did not think it necessary to trouble their lordships with any observations in moving the second reading of the bill; because that bill only enacted that which his noble friend had stated to their lordships. And what was this increase? It was an increase, by which the duke and duchess of Clarence would be entitled to receive upon the whole, an income of 35,600l. He could not conceive that there could be any objection to such income for the heir presumptive of the crown of Great Britain and Ireland. His noble friend had devoted a great deal of attention to the financial distress of the country; but their lordships would recollect, that they had unanimously granted 60,000l. per annum as a provision to her royal highness, the princess Charlotte of Wales. At that time she was standing in the same relation to his majesty, as the duke of Clarence now stood in, namely, the presumptive heiress of the crown of Great Britain, the duke of Clarence being now the presumptive heir. But the princess Charlotte was one degree further removed than the duke of Clarence, being presumptive heiress to the heir apparent. He was convinced their lordships could not object to such a grant; and he was satisfied that the public would approve of the manner in which a considerable portion of the grant would be expended; nor could a grant be made in a manner more acceptable to the feelings of his royal highness, since the greatest part was left at the disposal of her royal highness.

The bill was read a second time.

HOUSE OF COMMONS.

Tuesday, March 27.

WRIT OF RIGHT BILL.] Mr. Shadwell moved the order of the day for the second reading of this bill.

Mr. D. W. Harvey said, he earnestly hoped that the hon. and learned member would not press the second reading of this bill; for, though he did not intend to divide the House on it, he felt justified in characterising the proposed measure as the rudest and crudest specimen of modern legislature. The design was good, and that was all. The execution had not the merit of being even harmless, for it could not fail to prejudice the great plan of improvement which was in contemplation, in respect to the entire code of laws touching real estates. The bill before the House
Writ of Right Bill.

March 27, 1827.

proposed to restrict the period in which
writ of right could be brought from sixty
to thirty years: but it did not say that
no title should be required beyond the
latter period, which was indispensable, to
give efficacy to the plan. Nor would any
injury arise from delay; for he did not
believe that three actions of this sort were
brought in all England in any one year,
and in two of those the right occurred
within the shorter period. Nor did the
bill abolish the absurd errantry of knights
clothed in the drapery of feudal times;
nor did it cut down the number of jurors
from sixteen to twelve—clauses which
were as important as the restriction in the
time. But there was still greater feeble-
ness in the part relating to fines. The
bill proposed, that when an individual pur-
chased a freehold estate, a declaration
should be inserted in the conveyance, that
the wife was not to be dowerable; while
the passage had only to convey the estate
to a trustee to effect the same purpose;
probably an abbreviation of fifty words,
and the same number of pence, might
be thus saved. But why, he would ask,
did not the learned gentleman go at once
boldly and honestly to the source of the
evil, and cut off the expensive and dilatory
sense of fines? Here was a field worthy
to this talent and of his standing at the
crown, but he presumed the learned gentle-
man, like the rest of the professional fra-
y, was afraid to do too much at once,

Mr. Beresford said, he should be very sorry
if the hon. and learned gentleman aban-
doned this bill, as he was persuaded that
it would be very useful. On the one hand,
it went to regulate matters of dower; and,
on the other, proceedings in writs of right.
In both these cases, its provisions would
tend to save much needless expense, es-
pecially with respect to the antiquated
forms of writ of right, which were so very
tedious in their nature, and ought to be
abolished. It was little less than ridiculous
to see such things existing in the year
1827; and he thought they were such as
required the attention of the right hon.
Secretary, who had done so much, and so
well, in the reform of the other part of
our law. As the law at present stood, a
man who possessed real property, and
was anxious to dispose of it by will, could
not do so, unless his will was witnessed by
three persons. Such were the restrictions
upon the disposition of his freehold prop-
erty, even though it should be ever so small; while, on the other hand, if the same
person was possessed of 10,000£ in the
funds, or of 15,000£ in customary or
copyhold property, he might dispose of it
without having one witness to his will.

Why was this difference feasible? It seemed
to him, that no cause could be assigned
for it. It was positively disgraceful, that
in this country, and at this time, the laws

-adopted and embodied in the present bill?

He was far from thinking unkindly of
the learned gentleman; but he really thought
he had fallen into the vulgar and preju-
dicial error, that, to make a perfect states-
man, he must give birth to a bill, it mat-
tered not how short or how crude. This
proflific and prodigal spirit was the bane of
modern legislation, and that man was the
greatest friend of his country, and would
eventually earn the most solid and lasting
praise, who should curtail and prune down
our Statutes-book, by rendering our laws
intelligible and few. For these reasons,
and many others that might be urged, he
trusted the learned member would leave
the subject in the hands of the right hon.
Secretary for the Home Department, who
had promised, at no distant period, to take
all the laws touching real estates under his
consideration, and, by subjecting them to
the revision of a commission composed of
competent persons, increase the enviable
load of gratitude which he had, by his
amended criminal code, already laid on
the country.
in which all persons had so vital an interest, should be in so confused a state. No man could now transfer his property without encumbering himself with conveyances, and loading himself with stamp duties; nor could he stir a step in altering the nature of his title, without throwing on himself or his purchaser such a great expense, as nearly invalidated all the benefit they might expect to derive from the matter. The alteration of such legal grievances was a subject well worthy of the interference of the right hon. gentleman opposite, and he called on him no longer to defer the measure. Let him not fear any opposition that interest might create. He might, perhaps, think that he could not grapple with such difficulties, without first being assured of the support of the House. Upon that support, in such a cause, he might fairly calculate; since every gentleman was interested in removing these vexatious restrictions upon his control over his own property. However, he was well aware of the difficulties that the proposers of any reforms in this matter would have to encounter; and felt convinced that, whenever they did go into the subject, they must be prepared with arms and weapons, and they must expect a painful warfare of principle against itself; but let the right hon. gentleman attempt it, and the House would carry him through. It was perfectly true, that there were in the legal profession some men as high and honourable in their feelings as any in the country, but there were also men in it who lived on the existence of its abuses, and who would use every effort to maintain them. But the opposition of such men ought not to be feared. It was manifest the abuses did exist, and the sooner they were put down the better. He called upon the right hon. gentleman to say, whether or not it was his intention to bring the matter under the notice of parliament.

Mr. Secretary Peel admitted, that he had intimated such an intention, and had used, in the discussion on the Chancery bill, some expressions indicative of his opinion as to the necessity of an alteration in the forms restricting the transfer of real property. That opinion he had not abandoned, but at the same time he could not undertake the adjustment of a question of so much importance. Of this he was convinced, that those who were most willing to see a reform of the laws would, of all things, not wish any measure to be prematurely proposed. Whatever was done, the most cautious, and indeed the most severe, inquiry ought to precede it. However, he must take that opportunity of saying, that he did not agree with the hon. member for Rochester, as to the difficulties that must be expected from the opposition of interested individuals. He feared no such difficulties; and, indeed, he did not expect them. On the contrary, he had received offers of assistance from some of the most eminent men in the profession. He might be permitted to mention the name of Mr. Butler, who had made an offer of that kind. Besides that gentleman, there were others who had made similar offers, and who were now engaged in devising some plan for the reform of our civil laws. He was sorry to say, that from having been recently overwhelmed with business, he had had but little time to consider the matter. Indeed, when the subject should be brought forward, he thought he should best consult the advantage of the public, by proposing to devolve the preliminary inquiries upon a commission, to be specially appointed for that purpose; since he was convinced that the inquiry was of such a nature that it could not safely be intrusted to one individual. He should, therefore, consider it best to refer it to a commission, to be assisted in their inquiries by gentlemen conversant with the subject. Whether those gentlemen gave their services gratuitously or not would be a matter of little importance: though, if they asked the commission by their labours, he thought they ought to be allowed some remuneration. That some such inquiry as to the present modes of transferring real property, should precede any legislative measure on the subject, he had no doubt; and the question was one to which he was disposed to give the fullest consideration.

Dr. Lushington congratulated the House and the country on the prospect of their obtaining some amelioration in the practice of transferring real property. He thought there was no subject that required a more close or accurate investigation. The proceedings that were at present necessary to create a title in any person, or to transfer that title from himself to another, were productive of infinite expense at the moment, and of infinite litigation afterwards. As a proof of the enormous expense attendant upon the present practice, he might mention, that in one instance an abstract of a title laid
before him consisted of no fewer than eight hundred sheets. That circumstance, however, reflected no discredit upon the solicitor from whose office it was issued, and who was one of the most honourable men in the profession. The truth was, that from the very technical manner in which titles were now prepared, that extreme length was rendered unavoidable; for, unless the abstract had been prepared in that manner, no person could have proceeded to sell the estate, nor would any conveyancer have sanctioned the purchase of it. He happened himself to be concerned in the purchase of property sold under an act of parliament; and, the respectable conveyancer employed, felt it his duty to object to the title, under the very act which he had himself framed, and it had cost a hundred guineas to have the doubt as to that title removed. Now, he thought that when such difficulties attended the purchase of property, and the establishments of titles, it was high time for the legislature to interfere. But their first step should be, to ascertain the nature and extent of the evil, and then, in devising a remedy, care should be taken that other evils were not let in, as great as those which it was intended to remove. He was glad that the subject was likely to be placed in such excellent hands; and he believed that the right hon. gentleman would give a greater boon to the landed proprietors in giving them the means of transferring their property with a clear and secure title, and without those expensive processes which were now necessary, than he would do by removing from them the whole amount of the poor-rates. Let him, then, proceed to the task, and so frame the laws relating to the transfer of real property, that there should be no other restrictions than those which were absolutely necessary to make the title of the purchase clear and secure, without embarrassing parties with the present expensive mode of proceeding.

Mr. Ferguson said, that as this bill involved the vital principles of every species of landed property in the country, the House ought to proceed in it with every degree of caution. If a commission should be appointed to inquire into the state of the laws affecting real property, he trusted that the hon. and learned gentleman who had originated this bill would be appointed a member of it. He thought the country was greatly indebted to Mr. Humphries, for the excellent work which he had written upon the subject, and that several of his suggestions deserved serious consideration. He hoped that the learned member would not press his bill on the House at present, but would leave the matter in the hands of the right hon. Secretary, who had expressed his willingness to have this portion of the law of the country amended.

The Attorney-General said, he did not object to the abolition of the circuitous forms which at present attended the transfer of real property. He admitted that the existing law might be amended, but he must remind the House, that the greatest caution ought to be observed in any attempts which they might make to amend it. Whilst they were simplifying forms, and putting an end to the unseemly consumption of parchment which now took place, they must take care that they did not injure the vital rules and principles of law. He was ready and willing to lend his humble assistance towards the improvement of the formal and instrumental modes of conveyancing.

Mr. Peel repeated, that he did not mean to pledge himself to the appointment of a commission. He wished the inquiry into this branch of the law of England, whenever it took place, to be conducted by persons whose experience would carry with it a warrant to the public, that any measures which they might propose would be judicious. He pledged himself that the subject should shortly be taken into consideration, and that no measure should be taken upon it without its undergoing the minutest inquiry.

Mr. Shadwell said, he would gladly give his assistance to such a commission as the right hon. Secretary had spoken of; but as some time would necessarily occur before the recommendations of that commission could be carried into execution, he thought that his bill ought to be in operation during the interval. It appeared to him to be the more rational plan to remove, as soon as possible, a portion of an evil, the existence of which was universally acknowledged, than to suffer it to continue with unabated force. He was therefore of opinion, that even supposing that this bill afforded but a partial remedy, more good would be done by permitting it to pass now, than by postponing it to an indefinite period.

The bill was read a second time.
Sir A. Grant brought up the Report of the Committee of the whole House on the Corn Trade Acts. On the question, that it be read,

Mr. Hume said, he wished to take that opportunity of delivering his opinion on the general policy of the Corn-laws, which opinion, in some respects, was different from that of any hon. gentleman who had yet spoken on the question. He began by recapitulating some of the points urged by the Secretary for Foreign Affairs, when he first brought forward the subject, and dwelt particularly on the claim put in by the agricultural interest, and admitted by the right hon. Secretary, to protection. Ministers had professed to adopt a course between the two extremes: but, at the same time, taking the average price at 60s., they had given the balance in favour of agriculture, and had professed to do so. They had avowedly proceeded upon no fixed principle; and he was on this account the more anxious to state his view. He was decidedly convinced that protection ought not to be afforded to the landed interest to the extent of a single shilling, unless they could prove that they sustained a weight of taxation which was not borne by other classes of the community: to whatever extent they could establish, that they were sufferers beyond others, to that extent he was ready to give them protection; and upon that principle ministers and parliament had already proceeded in the recent improvements of the system, by the establishment of free trade in other commodities. Three or four years since, ministers had made their declaration on the subject of free trade; and they had properly felt bound to take a course between contending interests, but they had shewn no partiality, no undue favour as in the case of grain. Instead of benefitting one party to the injury of another, they ought to adopt only measures consonant with the general advantage of the whole community. He could see no difference between the claims of the grower of corn, and of the maker of shoes, or any other article: both had invested capital, and both ought to have the same fair play in employing that capital to the greatest profit, as far as it did not prejudice the prosperity of other classes. It was the height of injustice to give to the few an advantage at the expense of the many; yet this was what the right hon. Secretary had admitted he had done, in reference to the importation of grain. It was the decided opinion of those who had given the subject more and deeper consideration than he had been able to apply to it, that the farmer was really so much interested in having food at a low price, as the manufacturer of cotton or wool. The present was a question between the proprietors of the soil and the rest of the community. It was not to be denied, that farmers who had leases might be injured, to a certain degree, by any sudden depression; but the claim put in by the growers of corn generally, for what they called a remuneration price, was one of the most preposterous that had ever been submitted to any assembly. Because corn had been at a high price when their leases were granted, and was now likely to be lower, the farmers, as was natural to all speculators, called upon the House to assist and support them, and to keep up the cultivation of poor lands to the exclusion of the produce of other soils. He protested against any such principle, and called upon the House to apply to the trade in grain the same system which it had applied to various other branches of commerce and manufactures. The foundation of the resolution which he meant to submit was, that corn ought to be bought by the subjects of this country wherever they could obtain it cheapest, and that importation ought to be allowed from any part of the globe. Nine-tenths of the community, upon this important question, were opposed to the landed interest. Now, if any man could procure for the price of his labour, two bushels of wheat instead of one, he wished to establish a law by which he might resort to that country where he could so obtain for the same sum twice the quantity of food that he could procure in another. The object of the law which ministers wished to establish was, to compel nine-tenths of the community to give their labour for one bushel of corn instead of two. He might be told, that the landowners wished that every person should receive a just remuneration. But how did their conduct bear out that assertion, when they endeavoured to keep up the price of every necessary of life, and thus prevented the manufacturer from competing with foreign countries; the consequence of which must necessarily be, the decrease of wages, and the throwing many individuals out of employment? It was, however, said, that unless this system of protection
was continued, the country would run the chance of being visited by a famine. "It is not," said the landlord, "for my own sake, but for the sake of the public, that I desire this protection." A more fallacious argument never was advanced. If they would suffer corn to be imported only when it arrived at those very high prices which could rarely occur, then foreign countries would not be encouraged to grow corn, which they might exchange for English manufactures; but if, on the other hand, corn was freely admitted, then the whole world, on whom they must depend for trade, would be able to prepare an abundant supply of grain, to assist this country, if it suffered from the failure of the crops, or from any other circumstance. Without looking to averages a system which might be abused—without looking at the price of grain—he would open the ports to corn, in the same way as they were open to other articles. He would open a trade immediately with every country that had surplus corn to sell, and thus increase the demand for the manufactures of England. But, if they went on imposing a duty of 20s. 8d. when wheat was at 62s., it would be a long time indeed before they secured such a trade. A contrary course would open a wide door for the manufactures of this country, and would be exceedingly beneficial to those who were at present starving. As the law now stood, it was not worth the while of the foreigner to cultivate grain; and if there should be a bad harvest, the country most likely would be afflicted with a famine. Foreigners, under the existing system, would scarcely be induced to speculate in the cultivation of corn, which they would probably be obliged to keep for years, until it was spoiled. Suppose the duty were fixed at 1s., without reference to average or price, the consequence would be, that every state in Europe which was able to supply a small quantity of corn, would be ready to open a trade with Great Britain; and he was perfectly satisfied there were few hon. members who looked to the amount of the supply of corn from 1815 to the present moment, who could entertain any great fear, that the quantity of corn likely to be imported would injuriously affect the landed interest of this country. His proposition was, that the duty should now be laid at 1s., and that 1s. should be taken off every year, until it came to a permanent tax of 10s. Though he was willing to do this, yet he was convinced that the agriculturists were not able to show that they paid in taxes more than four shillings above the other classes of the community. If this were done, the population would consume all the corn that was imported, as well as that which was grown in this country; the workman would be well paid, and the manufacturers would be enabled to get off their goods. Such would be the effect of setting free the trade in corn; but the present law tended to produce want and destitution in the country. He wished to introduce a countervailing tax, to the amount which the land-owners could show they paid beyond the other parts of the community. He was perfectly willing to do one of two things; and he should like to know how far the hon. member for Wareham (Mr. Calcraft) would meet him. The land-owners, it was said, paid ten or twelve millions more of taxes than the other branches of the community did. Now, he would either repeal those taxes, or give them a countervailing duty in proportion to the amount which they could prove they paid beyond the other classes of the community. It had been asserted by a noble lord in another place, that the land-owners paid 24-25ths of the poor-rates. This, however, was not the fact. Last year the poor-rates and parish-rates amounted to 6,900,000l. Of this, 2,700,000l. was raised on dwelling-houses, and the remaining 4,200,000l. on the land; therefore, the land appeared to contribute two-thirds of the poor-rates, or 2,000,000l. more than the other classes of the community. If, however, this sum of 4,200,000l. were divided into three parts, it would be found that one third was not paid by the land-owners. The remaining two thirds, or about 2,500,000l. were paid by them. But, of this 2,500,000l., nine-tenths, he was prepared to show, consisted of wages. He had compared the rate of wages in Scotland, where there existed no Poor-laws, and in some counties of England where they were comparatively light, with other districts differently circumstanced; and he found that, wherever the poor rates were burthensome the wages were low, and that, adding the amount of poor rates to the rate of wages, both were still not equal to the rate of wages paid in Scotland. Twenty or thirty years ago, the
wages of agricultural labour in Scotland were twenty per cent below the wages of agricultural labour in England; but it was a curious fact, that they were now twenty per cent higher, arising entirely from the mal-administration of the Poor-laws.—Next, as to tithes—it was his firm conviction, that tithes were, in a great measure, paid by the consumer, and therefore the land-owners had no claim to peculiar advantages. As to the land-tax, when first it was imposed, it was not confined exclusively to land, nor was it so now: it applied to all branches of industry in a greater or less degree; but he was willing to take into consideration whatever sum was borne by the landed interest, to the exclusion of other classes of the community. Another item in the claim of the owners of the soil arose out of county rates; but it ought to be recollected, that country gentlemen were themselves the authors of county rates, and they ought only to permit them to be raised for legal purposes. If, indeed, the land only had to bear the charge of the prosecution of criminals for instance, relief to that extent ought to be afforded, and the expense paid out of the general funds of the country.—The agriculturists had a monopoly of the sale of various articles of agricultural produce—such as pork, mutton, tallow, and other things, by the imposition of duties on the importation of those articles, amounting to a prohibition. It was with astonishment that he had heard it asserted by some, that it would be better that no free trade at all should be allowed, and that the people should be compelled to purchase from the home-growers alone, such articles as the home-growers could sell them. He maintained, however, that the prosperity of the country depended mainly upon the freedom of foreign importation, and that if this was put an end to, the agriculturists would ruin their own customers, and bring the population of the country to a state of starvation. The amount of the value of goods manufactured in 1824 was 44,000,000l.; in 1825, 49,000,000l.; and in 1826, 47,000,000l. Now, it was impossible that this country could consume manufactures to this extent. But if the trade in corn were thrown open, it would afford a vent for those manufactures; and every knife or stocking sent abroad would produce a profit, that would enable the manufacturer to pay his portion of the interest of the national debt. The landholders appeared to think that the country could not do without them, since they paid so much of the revenue out of their rents; but he contended that the taxes would be much more easily paid by the mass of the population, if there were no rents at all, and therefore the country would do very well without the land- holders [coughing]. He did not mean to deny, that the depriving them of their rents would be a gross injustice; but he repeated, that the people could, with much less difficulty, pay the taxes, if there were no rents at all. He thanked the House for the attention they had paid him, and trusted he had stated his sentiments so as not to be misunderstood. He concluded by moving his first Resolution:—

"That from and after the 5th of July 1827, and until the 5th of July 1828, a duty of 15s. shall be imposed on every quarter of wheat imported from any foreign country into the United Kingdom; and, for the year from the 5th of July 1828, to the 5th of July 1829, a duty of fourteen shillings per quarter; and, in every succeeding year afterwards the duty shall be reduced one shilling, until the 5th of July 1833, after which time the duty of ten shillings shall remain a permanent and fixed duty, payable on every quarter of wheat imported from foreign countries, except Canada, as hereafter provided for."

Mr. Marshall seconded the motion, and stated that a great part of the very numerous and intelligent population which he represented, were not satisfied with the arrangement which the ministers had proposed on the subject of the Corn-laws, from which they expected no substantial relief.

Mr. Irving began by paying personal compliment to the hon. gentleman who had preceded him, but to whose opinions on this subject he was diametrically opposed. The price of food, he contended, was of little importance to the welfare of the nation, compared to the greatness of its capital. He totally differed also from the hon. gentleman who had brought forward the amendment, and who, in support of it, had argued, that if the land paid no rent, the country might prosper as well as ever. Did that hon. gentleman not see, that if such a state of things existed, the occupier of the land would be in effect, the proprietor? This, however, was not entirely a question of conjecture.
Prussia, Poland, and a great part of Russia, were cases in point; and what was the condition of the landowner, in those countries, but one of constant need? Was that the state to which the hon. gentleman wished to reduce the landed gentlemen of this country? Nothing could be more frightful than the distress that pervaded the countries to which he had referred. The people were sunk into the lowest stage of want and wretchedness; and, in reality the government had become the general proprietor of the land. The main doctrine of the hon. gentleman was, that the intercourse of nations should be equal and unrestricted. He admitted that the principles of free trade were good in the abstract; but they were unfortunately impracticable. This country might make what regulations she pleased for her own trade; but do what she would, other countries would, in their own defence, continue to prohibit as much as they could the introduction of her manufactures. No advance, he maintained, had been practically made, towards a system of general reciprocity. He denied that the Corn-laws had been injurious in their operation on any branch of the public welfare. The law of 1822 certainly could not; for it had never affected prices; but, if it had, agriculture was entitled to protection. What right had any body—even the House of Commons itself—to tell any class of the community, that their industry should be placed in a worse condition than that of any other class. Yet the effect of the new doctrines of the hon. gentleman would be, to subject the most important interest in the country to a course of slow but constant depression and decay. It had been proved that the land of this country was capable of raising corn sufficient for the subsistence of the population. Justice, he said, therefore, required that the consumption of grain should be confined to our native produce, as it was with regard to our own manufactures. That would be the best system of national policy, because it was founded on a due regard to all the great interests. In illustration of its advantages, he cited the instances of Ireland and Scotland, both of which were formerly importing countries, but which now yielded a large supply of corn to this country. He had no doubt, if further capital were applied in those countries to the growth of corn, that there could be no fair apprehension that this country would ever have occasion to depend upon foreign markets for a supply. Such being the case, it became the duty of the House to consider well before it permitted the home-grower of corn to be interfered with by the foreigner at all times.

Sir Henry Parnell said, that the more this subject was investigated, the more evident it would appear, that the policy of forcing a home supply, by restraining importation, was injurious to the public interests. There was no doubt that, in the produce of manufactures, capital might go on to be applied almost unlimitedly, and that the result would be a continued reduction of the article produced, in price; but the case of agricultural produce was entirely different. The extent of the fertile land which we had to cultivate, must determine the extent in which capital could be applied to cultivation with advantage. Up to a certain point—so long as we worked only upon fertile lands—the application of capital tended to produce an increased cheapness of price; but when the continued application of capital led us into cultivating poor soils, then the effect of that course would be a rise of price; the quantity of labour, &c., requisite to make those soils productive, was greater than that which we had been accustomed to apply before. If we cultivated poor land, while land of a superior quality was at our disposal, we in fact paid so much more than we need do: it was so much labour or capital thrown away; and this was exactly the effect of our refusing to take corn from foreign countries. To look at this system, therefore, as it affected the manufacturing interest, the quantity of corn consumed annually in this country was about fifty millions of quarters. If, by any law or arrangement, all that corn was purchased at the rate of 10s. a quarter higher than it need be, the charge so laid upon the public would be 25,000,000l. in money. And this was the system which gentlemen argued produced no injury to the country! What would be said, if the Treasury proposed to levy a tax of 10s. upon every quarter of corn consumed? If all this 25,000,000l. went even to the landlord, that would not be entirely ruinous: at all events, it would be a transfer simply of so much money from the pockets of one class of people to those of another. But the fact was, taking the admitted average, that only
one third of the gross produce of land went for the landlord's rent, the landlord got only a third of it; at the utmost, he did not receive half. And what became of the rest of the 25,000,000l? that was, of the additional 10s. a quarter? Why, the rent was directly wasted—thrown away—laid out in producing that from a lower soil, which a higher would have produced without its expenditure; it was wasted in growing corn at a higher price than we could purchase it. The consequence of this wasting so much money in growing corn on bad land was the lessen- ing every year of the power to accumulate new capital, and the keeping the amount of the national wealth below what it would otherwise be. It served to check the progressive prosperity, which the hon. member had said was so desirable to be maintained; it curtailed the power of employing labour, and also the resources of taxation: it produced all the evils which can arise from keeping the wealth of the country from making such advances as it was capable of making, if not obstructed. The hon. member had stated opinions respecting the effect of the protection of corn upon our manufactures, to which he could not agree. In place of the protection of the landed interest being of any service to manufacturers, it was particularly injurious to them. The rise in price which it occasioned of corn, produced a rise in wages and, as such a rise in wages was followed by a lowering of the rate of profit which manufactures could derive from their capital, it depressed the pro- gress of the accumulation of agricultural capital; but what was of more importance it seemed to make it more advantageous to the owners of it to transfer it to foreign countries, and employ it there, than to continue to employ it here. This was the way in which the stability of the British manufacturers was the most ex- posed to be shaken. It was not by allowing artisans to go to foreign countries, or machinery to go to foreign countries, that we incurred any risk; but it was by making it more profitable to employ English manufacturing capital abroad than in England, that a real danger was created of losing the superiority that British manufactures now had in competition in foreign markets with foreign manufac- tures. The hon. member had spoken of our commercial connection with foreign countries, as if our Corn-laws had pro- duced no inconvenience to our manufac- tures; but, in this respect, he was quite mistaken. Every country that exported corn had taken umbrage at our having excluded their corn, and had retaliated by raising the duties on the importation of our manufactures. What took place in America in 1823 was particularly in point. The grand and only popular ar- gument of the supporters of the new tariff in America, in that year, was entirely bottomed on the Corn-laws of England. "England," it was said, "is now deluging the Union with manufac- tured goods, but will she take our raw produce in exchange? Is there any reciproc- ity in her proceedings? Has she ad- mitted a single bushel of foreign corn, the staple product of our country into her markets during the last three years? Is it not absurd, then, to expect to continue your commerce with a nation acting on such exclusive principles? Ought we not rather to profit by her example; and, as she excludes our corn, does not sound policy dictate the propriety of excluding her manufactures, and of raising up an internal manufacturing population in the Union, sufficient to take off the surplus produce of our agriculturists." Here, then, was decisive evidence of the direct inquiry which the restricting of the im- portation of foreign corn produced to the public interest. In regard to what the hon. member had said of the necessity of sustaining high rents, in order that the taxes might be paid, if what he had ad- vanced was true, that the additional price of corn produced by protection served to diminish the national capital and wealth, the consequence of that protection, as to the public Revenue, must be, to diminish the produce of the taxes; as that would always be in proportion to the general wealth of the country. The hon. baronet concluded by saying, that he was sorry the hon. member for Aberdeen had pro- posed his plan to take effect so soon as the 1st of next July. He considered it a better plan than that proposed by minis- ters; but, seeing that the existing law was one of prohibition, he thought a longer time ought to be allowed for making so great a change, and therefore he could not vote for the amendment.

Mr. Whitmore said, he could not con- cur in the amendment of his hon. friend; but his dissent arose, not upon the amount of duty proposed by his hon. friend, but
because he objected to a fixed duty, of whatever amount, under any circumstances; and he trusted that the House would not support resolutions, which would be applicable in times of scarcity. Another objection to a fixed duty was, that it frequently happened, that a year of scarcity in this country was a year of scarcity in France; and, in that case, both countries would be competitors in the markets of Poland; and the fixed duty proposed by his hon. friend must lessen the quantity of foreign corn which could be brought into this country. The hon. member here mentioned the years of scarcity between 1794 and 1826, and, having one year, during which the price of corn rose as high as 177s., asked the House, whether they could sanction resolutions which would impose a duty of 10s. per quarter, even if corn should again reach that excessive price? His own opinions upon the measures proposed by government remained unchanged; but, he must admit, that those measures appeared to him to proceed upon a better principle than the resolutions of his hon. friend. For these reasons he should vote against the amendment.

Mr. Cripps said, he could not forbear expressing his opinion that we ought not to expose ourselves to a foreign market, because the cultivation of poor land might cost a little more than that of rich land. For his part, he had not the good fortune to possess much land, but he thought the corn question had been fairly settled, and he should therefore oppose the amendment.

Mr. Warburton did not think that the single inconvenience which had been pointed out by the hon. member for Bridgenorth was 'a sufficient argument against the amendment of the hon. member for Aberdeen. He thought, that a greater inconvenience would result from regulating the duty inversely, than from a fixed duty. He looked upon the question as a choice of difficulties, and as that of the hon. member for Aberdeen appeared to him to be the lesser one, he should vote for it.

The House divided; For the original Resolution 140; For the Amendment 16; Majority 124.

List of the Minority.

Bernal, Ralph Cave Otway
Birch, Joseph Davies, col.

Folkestone, lord
Harvey, D. W.
Howick, lord
Lushington, Dr.
Maberly, John
Maberly, W. L.
Marshall, John
Monck, J. B.

Nugent, lord
Raneliffe, lord
Thompson, C. F.
Wood, ald.
TELLERS.
Hume, Joseph
Warburton, Henry

SPRING-GUNS BILL.] The report of this bill being brought up,
Lord Belfast rose for the purpose of moving that a clause be added prohibiting the extension of the principle of the bill to Ireland. The noble lord began by observing, that Ireland was unhappily not so far advanced in civilization as England; and that therefore those measures of legislation, which might be perfectly justifiable when applied to this country, were, in some cases, by no means fitted for the state of society in the sister kingdom. If a man went into a wood there, it was not so much for the purpose of poaching, as with an intent to destroy or steal the timber. If a thief broke into a dwelling-house, it was not so much for the purpose of carrying away fire-arms. Much additional protection was therefore necessary to the inhabitants of that country; and he certainly thought that the government were culpably negligent in not providing more effectually for the safety of those whose interests were committed to their care. The noble lord then alluded to a circumstance which had occurred in the county of Tipperary, on that very night week; and which, he contended, shewed clearly the necessity of a continuance of the protection of Spring-guns to Ireland. About ninety acres of land had been ploughed up by the nightly legislators in the neighbourhood of Thomastown. Between four and five hundred attended; several hundred shots were fired, and an incessant discharge of fire-arms kept up during the whole night. On the next day a notice was served on Mr. Smithwick, the owner of the land, to the following effect—"Notice is hereby given to Black Jack Smithwick, if he does not immediately give the wood and road-fields to the distressed poor for potato ground, at a moderate rent, he will meet with the fate of Baker, and Farrel's wife. Any person who stops up those sods, will meet, with the loss of his life; and if you do not comply with this, we will shoot your stock, burn your dairy-house, men, and milk-women. This is enough—Given at
the Council-room by the Provider of the Poor—Rock." Now, he contended, that when the matter at issue was, as it appeared at present to be, the preservation of life, that House was justified in granting a permission to make use of more than ordinary means of defence. As to the bill itself, he could not, he confessed, agree with its hon. mover that it would be the means of preventing the effusion of blood. When men in parties of ten or twenty were, by the removal of the ordinary methods of defence, to be brought into hostile contact with each other so frequently as they must be, he very much feared that the provocation to the effusion of blood would be much increased, and the number of the sufferers from breaches of the Game-laws by no means diminished. The report was agreed to.

Mr. Secretary Peel hoped the noble lord would not press his motion. The effect of it would be to make that House declare itself as permitting the use of Spring-guns in certain cases, at the very time when the legality of the use of them in any case was more than questionable.

Lord Belfast, as there appeared to be a feeling in the House hostile to the clause consented to withdraw it.

The House of Commons, General Turnpike Act Amendment Bill. Mr. J. Grattan certainly did not expect to hear, among the charges brought against the government of Ireland, that it had failed in its duty, from neglecting to plant Spring-guns. He could not agree with the noble lord, that Spring-guns could be any protection to woods in that country. On the contrary, he thought it very probable, that if it was once known that there were Spring-guns planted in a wood, the fact would be an incentive to the people to set fire to that wood, and destroy it altogether. In the county of Wicklow, where he resided, there were very extensive woods; and he could say with safety, that they were never injured in any way, although no Spring-guns were planted in them. The people of Ireland were, he was sorry to say, guilty of great negligence in the performance of the ordinary duties of life; and he was convinced that, from forgetfulness and other causes, the use of Spring-guns to any extent in that country would be productive of the most lamentable results to the innocent, as well as prove a means of adding greatly to the outrages already too prevalent.

Mr. Spring Rice also opposed the clause, and contended, that so far from declaring, as the noble lord would by his motion wish them to declare, that Spring-guns should be used where they had not been used before, they should rather do every thing in their power to abolish the practice altogether.

Mr. Baring declared himself hostile to the principle of the bill. Nothing could be more monstrous than the powers which it proposed to give the commissioners, to sell and exchange, and barter and dispose of, the property of parishes to suit their ideas of convenience or propriety. The commissioners of Turnpike Trusts had too much power already, and he must, unless some very strong ground was shewn, oppose any attempt to give them more. He had given himself the trouble to inquire rather minutely into the circumstances under which the bill came before them, and he understood it arose solely from the failure of an attempt to shut up an old road near the hon. baronet's country residence. His informants were very respectable men; and their testimony had been corroborated by the hon. baronet's colleague before whom the matter came, as a magistrate, at quarter sessions. He believed, indeed, that but for that failure the House would never have heard of the hon. baronet's attempt to amend the Turnpike-laws.

Sir T. Lethbridge repelled, with some warmth, the insinuations of the hon. member, that he was actuated by any selfish motives in bringing the bill under the consideration of the House. He was surprised that the hon. member, who seemed to have taken his instructions from a paper which had been circulated pretty freely in the vicinity of the House, could lend himself to such charges, without first making himself better acquainted with their truth. The paper to which he alluded he could trace to a party, whose conduct he did not hesitate to pronounce base and scandalous, and whose assertions he could prove, if he thought it worth his while, to be mean,
false, and malicious. He had no hesitation, in saying, that he was confident he could, if he pleased, have induced the House to vindicate, by its privileges, the character of one of its members, as falsely and injuriously assailed. The whole of the paper was, he repeated, a foul misrepresentation; and he did not envy the feelings of the hon. member for Callington, when he thought it fit to allude to the circumstances in which he was, he supposed, assailed.

Mr. Cripps agreed with the hon. member, that it would be better to withdraw the present bill; which could only be said to add another to those statutes which were already too voluminous. By the labour of a committee, he thought he might very well be in a situation to submit a proposal after Easter, for the consolidation of the whole of the Turnpike-laws.

Mr. R. Gordon did not think it right, that the House should govern its opposition or consent to any measure by a reference to the hon. baronet's disputes with his neighbours in the country. He would recommend him to withdraw the bill, and move for a committee. If that committee examined the subject as it ought, he hoped that it would take into its consideration the expense of Turnpike-acts, and adopt some measure by which they might be made public instead of private bills. At present they were private bills, in force for a term of only twenty-one years; so that at the end of that time the whole of the enormous expense attendant upon their enactment was to be incurred anew.

Mr. F. Lewis strongly recommended, in preference to the present measure, the consolidation of the laws on the subject. The system of Turnpike-roads in this country became every day more and more important. When it was considered that the commissioners of the roads were empowered to tax the people to the amount of a million and a half annually, and that until the recent act of parliament they could not be called to account for the manner in which they expended the money, it was evident that the whole was a tremendous machine, which called loudly for legislative regulation. The proper nature of that regulation, however, as at once to render the system one of greater facility, and to check the abuse of it, could be considered only in a committee above.
HOUSE OF LORDS,

stair. The matter could not be accomplished in the present session; but if the hon. baronet would withdraw his bill, he would endeavour, by the next session, to prepare a consolidation of the existing laws, for the purpose of submitting it to the consideration of a committee above stairs.

Sir T. Lethbridge said, that with the understanding that the hon. gentleman would next session move to refer all the laws on the subject to a committee above stairs, he was quite ready to withdraw his bill.

Mr. F. Lewis observed, that it would be impracticable to attempt to do any thing in the present session.

Sir T. Lethbridge then intimated, that he would withdraw his bill.

HOUSE OF LORDS.
Wednesday, March 28.

Roman Catholic Claims.] Lord King, in presenting a petition from the Catholics of Ireland, relative to the Test Oaths, said, that the petitioners complained, and he thought most justly, of the cruel slanders cast upon them and upon their faith, by that law which requires every person called upon to take a seat in the legislature, or to perform the duties of a public office, to take certain oaths, by which every judge, bishop, or sheriff, was obliged to declare the Catholic religion was an execrable superstition, and the Catholics themselves to be base idolators. This proceeding, the petitioners considered most unjustifiable, and he entirely concurred with them in the opinion. Many petitions had been presented to their lordships against these calumniated Catholics by the right reverend bench, and great numbers had also been presented from bodies of the clergy, who evinced any thing but what was likely to create among their fellow-Christians charity, harmony, and good-will. He had lately read an extract from a German paper, and he could not help contrasting the conduct of our clergy with that of the king of Prussia, who had expressed his approbation of the manner in which a Catholic priest and a Lutheran parson had exerted themselves, in bringing about harmony and union between parties not professing the same faith. He could not help exclaiming on the occasion:—"Oh, happy people, and happy country! where nothing is to be gained by the profession of bigotry and intolerance—where you are not called upon to sacrifice every other consideration to please the advocates of Protestant ascendancy—and where the road to power is not through the presentation of pestilential petitions from Protestant persons, nor from the scribbling of pamphlets, still more pestilential, to be afterwards presented as sermons in a chapel at no great distance from that House, in order to tickle the noble and learned lord who sat not far from him." In Prussia there were no attempts to make proselytes by mischievous and mistaken zealots, or uncandid and aspiring politicians—men who, to suit their own views, declare a crusade against the Catholics, and assert the finger of God to be visible in every movement. Enthusiasts in religion might think, and artful politicians might be ready to say, whether they thought it or not, that the Almighty favoured their enterprise; but, he would tell these zealots and interested enthusiasts, that unless the modern crusaders had more inspiration, as well as more success, than the old hermit and his adherents, there was but little probability of their converting the "be-nighted people of Ireland." It had been happily observed, in one of the daily journals, that it was as feasible to bring about such an event—the grand consummation of converting the "be-nighted people of Ireland," as it was to attempt to "bottle off the Atlantic ocean." But, against those Protestant Jesuits—those never-ceasing conversionists, the very best authority would be found in a charge delivered by the present archbishop of Cashel, who stated it to be his opinion, that in attempting to proselytize, it was advisable that they should look not merely to the probability of success, but to something more; namely, that such attempt might be fraught with danger to Christianity itself. He had heard of great danger to our finances by a few pepper-corns being brought into the Exchequer at the expense of millions, so there might be imminent danger by a few converts being brought into the church at the expense of the religion of the country. However, some political priests cried "Woe be to those who interfere with the blessed work of this new reformation." But those who cried "Woe, woe" were ready to inflict woe upon others, while they were ready to undergo martyrdom; but, very fortunately for themselves it was only the martyrdom of promotion.
Earl Stanhope observed, that his noble friend, in the observations he had made with respect to the state of religious sects in Prussia, and the treatment they received from the state, entirely overlooked the fact, that in Germany there were no popular constitutions. If there were no elements of a popular constitution in this country, he would be as willing as the noble baron to concede to the Roman Catholics the whole of their demands; but in a country where all the institutions were decidedly and entirely Protestant, he was convinced that no further powers could with safety be granted to them. He could not help observing, that some remedy must be applied to the condition of Ireland, which would strike at the root of those evils under which that country at present suffered.

The Bishop of Chester, notwithstanding the very strong language and the direct personal allusions of the noble baron opposite— allusions which he had made in language extending far beyond the usual parliamentary licence—would have been contented to listen to the noble lord's observations in silence, and to have practised that lesson of Christian charity which the noble lord seemed not yet to have learned—a lesson which taught him never to apply hard words to the innocent and unoffending, had he not felt the subject which gave rise to those observations to be of paramount importance. The noble lord had alluded, with something like contempt, to what he had said on a former evening with regard to the progress of the reformation in Ireland. Now he was quite sure he had on that occasion uttered no sentiments which were inconsistent with Christian charity or Christian kindness towards persons of all religions whatever. If they were to believe in reformation at all, or in the accounts of those events by which the most remarkable reformations were preceded, they must be prepared to admit, that some signs must be shown when Ireland was to be enlightened; that some symptoms must be manifest to point out the time when the work was to be undertaken. And if there were at present in Ireland some of those symptoms, was it not, he would ask, the duty of a Christian teacher not to cast reproach and rebuke upon those appearances of the reception of truth, but rather to foster and encourage them? With reference to the observation which he had made in that House upon the hope of the conversion of the Catholics, and which the noble lord had made the subject of so much comment, by the expression that “he thought he saw the finger of God in the recent conversion of the Catholics of Ireland, and that woe would be to those who should presume to lift up their hands and voices in vain and impotent attempting to stem the flood of Gospel light that was bursting over the country,” he begged to say most distinctly, that he did not intend to declare spiritual or temporal woe to those who opposed the will of the Most High. But he would repeat, that if any man did attempt to stand up against the will of God, and oppose his puny efforts to such will, woe would be to him sooner or later. He had only one word to add, by way of encouragement to those who were engaged in the work of reformation. He had endeavoured, as a member of the legislative assembly, to speak in terms of prudence and caution of those evils which, in such an attempt, were to be avoided, and to guard against that kind of hostile opposition which nothing but the union of great worldly wisdom with the most inaudible pity could possibly counteract; and he hoped that in doing so he had not made use of expressions which were averse to the profession of a minister of God.

Lord Holland said, he did not wish to prolong the present conversation, which he thought could not tend to any useful purpose, which he knew was irrelevant to the petition before the House, and which was altogether unconnected with the great question upon which they had been so frequently called to decide. He could not, however, suffer the matter to terminate, without observing, that the right reverend prelate who, if he would permit him to borrow one of his own phrases, was one of the most polished weapons of the ecclesiastical armoury in that House, had begun by rebuking the noble lord for having introduced his petition by the use of hard words, while the right reverend prelate seemed to have forgotten, that the whole proceeding was founded on the use of hard words, and that the very matter of complaint, on the part of the Catholics, was the application of those hard words, which it was contended ought to be exercised against those who used them in return. The whole matter reminded him
of a little anecdote which he had found in an old Spanish jest book. In Spain, the flocks of sheep are often in danger from the wolves, and the shepherds, as a protection, arm themselves with a large spear, tipped with iron at one end, and, at the same time, avail themselves of the assistance of a large dog. Now, it happened that one of these shepherds and a dog had a quarrel, and the shepherd, in defending himself against the dog, killed him with his spear. The shepherd was seized by the owner of the dog and carried before the alcalde, to be tried for the offence. "Why," said the magistrate, "did you kill the dog?" The shepherd replied, "because he ran at me with his mouth foremost, to bite." And why did you strike him with the spear of your stick; why not rather strike him with the butt end, and beat him off?" "Because," said the shepherd, "he came against me with his mouth foremost, and not with his tail." So it was with the Catholics. The Protestants called them idolatrous and superstitious; they goaded them on to such and ungentleman-like and uncharitable. He recollected, too, that one of the topics dwelt upon as a ground of hostility to the claims of the Catholics, was the anxiety to make proselytes, which characterized those who professed the Catholic faith. Now, he would say that the House must make choice of one of two things. They must either say that it is not right, to make proselytes among those who professed the Catholic religion, or the new reformation, as it is called, what that had to do with the question of emancipation he had yet to learn. Either it must be admitted that it had nothing to do with the question, or it must be meant that the penal laws were to assist the work of conversion, and to force forward the work of reformation. If that was so, then he would call the proceeding persecution. To make use of a temporal weapon for spiritual purposes, was, to all intents and purposes, persecution. If, however, it was conceded, that the work of conversion had nothing to do with the question, then they were equally subject to the reproach of making use of spiritual weapons for carnal and temporal purposes, and equally guilty of persecution. In either way, therefore, what they were now doing meant nothing, or it meant to give countenance to persecution. The right reverend prelate had, however, gone further, and had denounced woe to all those who should attempt to lift up their hands to stay the flood of light.

The Bishop of Chester said, he had not uttered anything of the kind. He had said, when that reformation began, woe be to him, who should attempt to stem the flood.

Lord Holland continued. Well, "when that reformation began," was a saying clause certainly. But in whatever way the woe might be applied, he apprehended there might unhappily be found some who were not unwilling to use it. But there was another point to which he wished to call their lordships' attention. When the question of Catholic emancipation was discussed in that House, he recollected perfectly well, that the merits and demerits of the Catholic religion formed, with some learned and reverend lords, one of the most prominent topics. The merits of the Catholic religion discussed among Protestants, and where none but Protestants were present! He would not say how such a proceeding might be considered in that House; but, in private society, the discussion and the decision of a question in which two parties were interested, and only one was present, would be considered ungentleman-like and uncharitable. He recollected, too, that one of the topics dwelt upon as a ground of hostility to the claims of the Catholics, was the anxiety to make proselytes, which characterized those who professed the Catholic faith. Now, he would say that the House must make choice of one of two things. They must either say that it is not right to blazon forth the deeds done in the cause of reformation, and to harangue upon the interposition of God on behalf of the purer and better faith, or they must admit that they, the Catholics, are also to be commended for their zeal to produce reformation. And they must, perhaps, even go further, and judge of both by the effects of their labours, declaring that religion to be the purest which produced the most abundant proofs of the truth of their faith. He would ask, was any man disposed to go thus far, and place the truth of the faith of Protestants upon such a trial, and the purity of its doctrines, and its favour and acceptance with the Supreme Being, upon a constant alternation of temporary triumphs? He concurred in opinion with the just and exemplary archbishop of Cashel, whom he was sorry not to see in his place, and whom he would be proud to have the pleasure of knowing personally, and whose near relationship to the wise and comprehensive-minded Dr. Law-
rence left no surprise upon his mind that he had trod in his steps. That truly Christian prelate had given it as his opinion, that any attempt to convert the Catholics of Ireland would be attended with bad effects; and that whether the cause of Protestantism would gain was dubious, but that the cause of Christianity would lose, was certain.

Lord Carlbery said, that noble lords opposite seemed to think, that all the hard words ought to be used on the one side, and none on the other. The Catholics were, he contended, more inclined to make use of strong expressions than the Protestants, and went so far as to declare that no Protestant was entitled to salvation.

Ordered to lie on the table.

HOUSE OF COMMONS.  
Wednesday, March 28.

GAME-LAWS.] Mr. Littleton said, he had to present a petition from a most respectable portion of the inhabitants of Wolverhampton, praying for an alteration of the Game-laws. The petitioners stated, that they paid very heavy poor-rates, a portion of which went towards the support of poachers in prison. Now, the petitioners said, that such portion of their rates ought not to be so expended, since they had a right to buy game. The hon. member said, that, in a former parliament, he had given his support to a measure, having for its purport, an alteration of the Game-laws; and he now wished to see those laws altered, as he thought much good would accrue to society from a judicious alteration of those laws, which, in their present shape, were so injurious to it. He could not, however, agree with the petitioners, when they said, that poachers were the victims of those laws. He did not think so; and he would not vote for any alteration of them, which would not give protection to landed proprietors for the preservation of the game on their grounds. The landed proprietor had as good a right to have the game on his land protected, as the merchant had to have his wares protected.

Sir J. Schrigny concurred with his hon. friend in the necessity of protecting the landowner; but he also concurred with the petitioners in terming the persons imprisoned in consequence of the Game-laws, the victims of those laws. They were the victims of that provision which prevented game from being brought to market like other articles. This provision held out a temptation to the poorer classes which they were unable to resist. He appealed to the honourable members who were magistrates, whether the evil attendant on the present Game-laws was not a greatly-increasing one, and whether it had not arrived at a height that required legislative interference?

Sir C. Burrell said, that the persons who were imprisoned for offences against the Game-laws were victims, not of those laws, but of their own imprudence in violating them. He agreed with the hon. member for Staffordshire, in the necessity of preserving the game. With respect to the alleged hardship suffered by the tenants in not being allowed to kill game on the land which they occupied, it ought to be recollected, that when they obtained their leases, they were aware of that circumstance.

Mr. Estcourt said, it could not be denied but that those laws tended to the demoralization of the people. He would state to the House a fact, which had come within his own personal knowledge. In one of the prisons in Wiltshire, there were lately confined no less than two hundred and thirty prisoners. Now, the House would be surprised to hear, that out of that number, one hundred were incarcerated for breaches of the Game-laws. The House, knowing that fact, must, he thought, see the necessity of altering those laws.

Sir J. Wrottesley said, he agreed in the prayer of the petition; and, after the statement which the House had just heard from the hon. member for the University of Oxford, they could not, he thought, defer any longer the devising of some measure, to check the evils of laws which assumed such an enormous magnitude. Something should be done; and he thought the first step ought to be the repealing of the laws which prevented the sale of game. A bill had been introduced into that House, about three years ago, by an hon. member, now a member of the other House. It contained a provision to legalize the sale of game; but there was so much other matter mixed up with it, that he could not approve of all the provisions of the bill. He thought that if the hon. member who spoke last would bring in a bill to legalize the sale of game, disencumbered of the objectionable provisions of the
Mr. Littleton said, he must dissent from the opinion of his hon. colleague. He thought that making game saleable would be the reverse of an improvement of the Game-laws.

Mr. Secretary Peel said, he thought it desirable to try the experiment by a partial operation, and to ascertain the effect of making game a saleable commodity. He was far from meaning to say, that if game were made saleable, the Game-laws ought to continue in their present state. He had long felt that a change had taken place in society, which absolutely required that those laws should be revised, and placed upon a different foundation. He had no wish to interfere with the privileges of private property. The owners of estates, and of game preserves, would naturally defend their rights. All that was desirable was, not to withdraw the protection from game, but to put the Game-laws upon a better and more practicable foundation. At present, the sale of game was confined to poachers, and it was desirable to let the owners of game come in competition with them. In Scotland, the laws relative to game were of a much better description than those of England. As to an alteration of the laws now in force in England, it appeared to him an easy matter. It could not be difficult to legislate in such a way, that persons who were now entitled to kill game should have an advantage over those who had not such a description of property; but in doing this, he should certainly wish that the qualified person should not have the exclusive privilege of selling game. He wished, too, that something might be done to withdraw the ground of quarrel which frequently took place between the small and the large landed proprietors residing in the same neighbourhood. He did not at all enter into the fears of those who thought that if the right of shooting was extended, the man of three acres would materially diminish the game of his neighbour possessing three thousand. On the contrary, a compromise would generally take place, in which the person of such small property would be glad, for a trifling sum, to agree not to shoot at all. To say that the man whose few acres contributed to the food of the game, should not have the privilege of killing the very birds that devoured the produce of his field was monstrous. Gen-

llemen would find it perfectly fruitless to attempt to continue their laws in the present state. Such was the altered condition of society, that those laws could not remain ten years without material modifications.

Ordered to lie on the table.

HOUSE OF LORDS.
Thursday, March 29.

CORN LAWS—LORD REDESDALE'S RESOLUTIONS. The following is a Copy of the Resolutions on the Corn Trade, printed and circulated by lord Redesdale:

1. “That the wealth and strength of Great Britain originated in the cultivation of its soil, and must always be dependent on that cultivation, whatever other advantages the country may possess.”

2. “That the cultivation of the soil of a country is a trade and manufacture, and is so far the most important trade and manufacture in every country, as every other trade and manufacture must depend upon it.”

3. “That though the production of corn for the food of man is in Great Britain one of the most important objects of cultivation, yet the means of obtaining the production of corn, the quantity purchased, and the profit to be derived by the cultivator from the production, are all dependent on many other objects of production, and especially on the production of animals, and of food for animals, and on the further produce or other benefit derived from such animals; and the general profit of the cultivator is the result of the combination of all the several articles so produced, each article contributing to the more profitable production of the rest, the amount of the whole production at the same time greatly depending on the capital and skill employed in fitting the land for the purposes of cultivation, and on the capital and skill employed by the cultivator; and it is the combined effect of all these operating causes which gives plenty from cultivation, and renders cultivation profitable.”

4. “That the laws now in force regulating the importation of foreign corn, are founded on the principles expressed in the foregoing Resolutions, having in view the extension and improvement of the cultivation of the country, the increase of its productions, and insuring to the improvers
and cultivators of the country the just reward for their expenditure and labour, as expressly acknowledged in the preamble to the act of the fifteenth year of the reign of King Charles 2nd, intituled 'An Act for the Encouragement of Trade.'

5. "That under the encouragement proposed by the said act of the fifteenth of King Charles 2nd, and many other acts since made, in conformity to the principle expressed in the preamble to that act, great quantities of land, which were in the fifteenth of King Charles 2nd lying waste and yielding little, have been improved with great cost and labour, and much more corn has been produced, and great numbers of people, horses, and cattle have been employed, and a population very greatly increased in number, and consuming a much greater quantity of corn in proportion to their number, has been provided with food by means of the improvements so made, and the produce of the country has thereby become equal to provide for such increased population, both with corn and other food, in great abundance; unless, by the dispensation of Providence, the extraordinary inclemency of a particular season should happen to render the production of that season considerably less than the production of an ordinary season.

6. "That under the apprehension of the possible occurrence of such an extraordinary season, and the consequent failure of crops, provision has been made in the said act of the 16th of Charles 2nd, and in all the subsequent acts respecting the importation of foreign corn, to prevent the scarcity which might be produced by inclement seasons, the importation of foreign corn being allowed whenever the prices of home-grown corn, estimated according to the value of money at the several times of passing such acts respectively, should indicate so great a failure of crops, as to raise just apprehensions that the produce of the country might be insufficient for the consumption of its inhabitants; but at the same time allowing to the home-growers of corn the benefit of a rise in the prices of corn, corresponding with the deficiency in the quantity produced, and thereby compensating to them, by increase of price, the loss which they would otherwise have suffered by deficiency in their crops, whenever that deficiency did not, by an extraordinary rise in price, indicate the danger of distressing scarcity.

7. "That considering the present value of money, and the great rise of prices of almost every article of consumption, and the great increase of burdens imposed on the people of Great Britain, and especially on the produce of the soil; the prices of 60s. for the quarter of wheat, of 32s. for the quarter of barley, of 24s. for the quarter of oats, and of 36s. for the quarter of rye, peas, and beans, cannot be considered as indicating such a deficiency in the quantities of the same different sorts of grain produced in the country, as to warrant any apprehension of scarcity; and, on the contrary, those prices are not more than sufficient to remunerate the corn-growers for deficiency of crops in ordinary years, as they are very little above the prices in very plentiful years, when the prices are always lower than fair remunerating prices in an ordinary year, as the supply in such very plentiful years greatly exceeds the demand, and the surplus forms part of the consumption of the succeeding year, and often at an advanced price.

8. "That the continual and great variations in the prices of different sorts of grain during the course of above one hundred and fifty years, of which there is clear evidence, demonstrate that, assuming certain prices for each or any species of grain, as the prices, or nearly the prices, for which such grain may be sold with advantage to the producer in every year, is an attempt to do that which is impossible; and, on the contrary, that the fair prices of each year must depend on the amount of the produce of each year, which may vary so greatly from year to year, as to make the fair prices in one year greatly exceed or greatly fall short of the fair prices in another year.

9. "That to allow the importation of foreign wheat into Great Britain at all times, without payment of any duty on importation, and to permit such wheat afterwards at any time to be entered for sale on payment of a duty of 20s. only, whenever the average price of wheat, taken weekly in certain districts, shall amount to 60s., and to impose a scale of duties increasing as the average price should fall below 60s., and diminishing as the average price should exceed 60s., would be to fix indirectly the price of 60s. for the quarter of wheat, as the highest price for which wheat should be sold, even in the most unfavourable years, inasmuch as foreign wheat may generally be obtained at so low a price, that on payment of a duty of
20s., only, it can be brought into the market for sale, with considerable profit, at a price below 60s. the quarter; and if a proposition to that effect should be made law, wheat produced in Great Britain can never be sold at a higher price than 60s. the quarter; and the effect of such a law must be to keep the price of wheat at all times under 60s. the quarter, whatever failure may happen in the home-grown crops.

10. "That in like manner the importation of barley, oats, and other sorts of grain, under the same circumstances, to be entered for home consumption on payment only of several duties bearing a like proportion to the prices of those articles as before mentioned, would operate indirectly as a law limiting the prices of such several articles as the sums proposed as the average prices on which the rise and fall of duties should take place, and would compel the sale of barley, oats, and such several sorts of grain, always at prices rather under than above the medium prices at which such duties should take place.

11. "That limiting the prices of wheat, barley, oats, and other sorts of grain to the several prices before mentioned, at all times, however unfavourable the seasons might prove, must have the effect of compelling the growers of such articles to sell the same at great loss whenever unfavourable seasons may cause any material failure of their crops; and by taking from them all profit, must gradually deprive them of the means of cultivation, and render the tillage lands of Great Britain gradually less and less productive, without further diminishing the actual price of corn; until, by the ruin of the agriculture of the country, the cultivated land should become so far unproductive as to be very unequal to the support of its population: and then, unless foreign production should be imported to an enormous amount, the deficiency of supply to answer the demand would again raise the price of corn, and the country would at the same time pay a high price for the corn consumed in it, though in great part foreign corn, and would become dependent on, and tributary to, other countries for its daily bread.

12. "That the idea of fixing a certain, or nearly a certain price at all times for grain of any description, in any country, with any regard to the welfare of the cultivators of the soil, is extravagant and absurd, as demonstrated by the experience of all countries, and by the evidence before the House of the great variation from year to year, and from month to month, of the prices of all sorts of grain in this country, and in every other country with respect to which evidence has been procured, the prices varying in many instances, almost in the proportion of two to one, and seldom in any two successive years bearing nearly the same proportion; and as the amount of the produce in every country, of each year, must vary from the amount of the produce of precedent and subsequent years, according to the season of each year, so the price must vary to render the cultivation profitable; and that variation must be greatest where cultivation is most expensive or most artificially conducted, and where the people are most burdened with taxes and other charges; as the sale of corn at a regulated price in any country, can only be effected by the introduction of foreign corn, to compel the cultivator to sell his corn at less than the cost of its production; and this attempt, by ruining the cultivators, must finally tend to raise, rather than to reduce, the ordinary price of corn.

13. "That the foreign corn hitherto imported, has always been, and the foreign corn hereafter to be imported, probably will always be, paid for in money, and not by a corresponding export of British manufactures, or other commodities, to the places from which such corn has been, or shall be brought.

14. "That at all times when the quantity of wheat produced in Great Britain, together with the wheat imported from Ireland, shall be equal to the demand for consumption in Great Britain, the importation of foreign wheat in addition to that quantity must be useless, or must have the effect either of excluding from the market and rendering useless an equal quantity of home-grown wheat and Irish wheat, or a quantity of wheat consisting of foreign and home-grown and Irish wheat, equal to the quantity of the foreign wheat imported, and that quantity must remain in store, without any other effect than that, by occasioning a glut in the market, the importation of foreign wheat might reduce the prices both of foreign, and home-grown, and Irish wheat so low, as to discourage the growth of wheat both in Great Britain and Ireland in succeeding years, and thereby reduce the quantity of land cultivated both in Great Britain and Ireland.

15. "That in like manner the importa-
tion of other sorts of foreign grain, whilst the production of the country with the assistance of Ireland should be equal to the demand, must have the like pernicious effects.

16. "That if a million of quarters of foreign wheat should be purchased in the Baltic, or elsewhere, at the price of 26s. the quarter, and paid for in money, and not by a corresponding export of British manufactures, or other commodities, and afterwards sold in the home market at 60s. the quarter, having paid a duty of 20s. the quarter, and if an equal quantity of home-grown wheat and Irish wheat should be thereby excluded from the home market, the sum of three millions of pounds sterling, which would have been received by the home-growers of Great Britain and Ireland for the same quantity of wheat, would be transferred to others; namely, 1,300,000l. would be transferred to foreigners for the price paid in money for such foreign wheat, one million would be paid to the public revenue for duty, and 700,000l. would be paid to individuals of various descriptions for expenses of import and other expenses, and for profits to the speculators in the purchase of such foreign wheat.

17. "That if (of which there is no prospect) such million of quarters should be distinctly paid for by the export from Great Britain of manufactures or other commodities, and not in money, yet the value of such exports would be only to the amount of 1,300,000l., and the clear profit derived to manufacturers and traders from such exports would be of very small amount, whereas the loss to the home-growers of wheat would still amount to three millions sterling, though the public revenue would gain a million sterling by a tax really paid by the home-growers of corn, already burthened with an enormous disproportion of the public charges; and in like manner, by the importation of foreign barley, oats, and other grain, whether purchased with money or with commodities exported, the loss to the home-growers of those articles would be equal to the amount of the whole quantity of foreign corn sold in the market, whilst the gain to the manufacturers, if any, would be of trifling amount; and the government would be the principal gainer, by a new tax, thus imposed, in effect, on the home-growers.

18. "That the state of the currency of the country must at all times affect the real prices of all commodities estimated at the nominal value of such currency, and may materially affect the profit derived from the importation of foreign corn, and of all articles imported from foreign countries, and the profit to be derived from the importation of foreign corn may become enormous, by reason of the state of the currency of this country, and the rate of exchange between this country and the country where such corn shall be purchased, which may give rise to the most extravagant speculations in foreign corn to be imported into Great Britain.

19. "That the effect of the importation of foreign corn at duties so low as to operate as a restriction on importation, may be judged of by the effect of the importation of foreign wool, by which the price of the home-grown wool, and especially of short wool, has been greatly reduced, and great quantities of such wool remain in the hands of the growers, driven out of the market by the importation of foreign wool; and the importation has greatly increased since the reduction of the duty, whilst the export of woollen manufactures has decreased instead of being increased; so that the home-growers of short wool are now suffering an annual loss of great amount, great part of which amount has been paid to foreigners for foreign wool, without any adequate benefit to this country; and further loss has been sustained by the importation of foreign tallow, hides, skins, and other articles.

20. "That by importation of foreign wool, tallow, hides, and skins, and of other commodities, the produce of agriculture, the cultivation of the country, and all persons interested in the lands of the kingdom, and particularly the cultivators of tillage land, have suffered great injury, inasmuch as the profit derived from those articles enabled them to adopt that system of husbandry which has so much increased the productive powers of tillage land, by a regulated course of crops, to which the profits arising from wool, tallow, hides, skins, and other offals of animals is essential, and the price of meat as well as the price of corn must eventually be greatly affected by depriving the cultivators both of tillage lands and of grass lands of those profits, which are important parts of the profits derived from the breeding and feeding of animals bred and fed for the purpose of producing meat for the food of man.

21. "That much as the island of Great
25. "That a general system of free trade is incompatible with the present condition of the world, and particularly with the condition of this country, burthened with enormous taxes and charges of various descriptions, and loaded with an enormous national debt, which renders all the rest of the inhabitants of the country tributaries to the public creditors, who are maintained in idleness by the industry and at the charge of others, through the medium of burthened imposed on many articles of production, and most especially the productions of cultivated land, which are loaded with charges far exceeding the burthen imposed on other productions, and cannot therefore be brought into the market on equal terms with the productions of countries not so burthened; and the unequal burthen thus imposed on cultivated land could not now be sustained, if a portion of those burthened were not borne by the rest of the community, through the medium of the prices paid for the commodities raised by the cultivation of land.

26. "That a general system of free trade can only be founded upon the establishment of universal and constant peace, and universal and constant goodwill of man to man, and is utterly inconsistent with the present condition of mankind, divided into various states, under various governments, founded on various and conflicting principles, jealous of and hostile to each other, and particularly jealous of and hostile to the internal and external prosperity of this country, and its extended dominions in the eastern and western world, all of which are objects of the ambition of other nations, and for the protection and management of which it has hitherto been found expedient to maintain a large armed force, both naval and military, and other large establishments, creating a necessity for the continuance of a large portion of those heavy burthened with which this country is charged, even if its national debt were annihilated."

Poor-Laws in Ireland.] The Earl of Darnley, seeing a noble lord in his place, who had paid great attention to the subject of the Poor of Ireland, wished to know from him whether it was his intention to submit any motion to their lordships on this subject? At present, the poor of Ireland were suffering very great distress, and many of them had, he believed, perished of hunger. If it was not the noble

Britain may suffer from any material alteration of the existing Corn-laws, Ireland will probably suffer more, inasmuch as the corn market of Great Britain is now at all times open to Ireland, and the importation of corn from Ireland has been (since the free intercourse has been allowed) continually increasing, and if not obstructed by foreign competition, the cultivation of Ireland must continually increase, so as to enable that country to supply any deficiency which the most inclement season may occasion in Great Britain, and render the importation of foreign corn, at any time, unnecessary; and the constant importation of foreign corn, at the rates of duties before-mentioned, must be a death-blow to the rising cultivation of Ireland.

22. "That the employment of capital is essentially necessary to the proper cultivation of any country, but the importation of foreign produce has already destroyed a large proportion of the capital which was employed in the cultivation of Great Britain, and the constant importation of foreign corn will greatly reduce the capital still employed; and such importation must prevent that increase of agricultural capital in Ireland, which is essential to raise that country to the high state of cultivation of which it is capable; and the same causes will prevent the improvement of vast tracts of land in Great Britain, which are still capable of great improvement.

23. "That the constitution of the government of the United Kingdom, in all its parts, and the symmetry and security of the whole, are founded and depend upon landed property, and cannot subsist in their present form if the value of such property shall be materially diminished, and its due weight in the government of the country shall be thereby destroyed; and any material injury to that property, by destroying the just balance of the constitution must lead to the overthrow of the existing form of government, and the substitution of some new form of government, unless the misery of general confusion shall bring the country back to that form which has produced its happiness and prosperity for so many years.

24. "That the experience of many years has proved the wisdom of those laws which have been founded on the system adopted on the Restoration of Charles 2nd, and on which the existing laws regulating the importation of foreign corn were founded.
The Earl of Darnley said, he agreed that the poor-laws, as they existed in England, could not be introduced into Ireland; but he could not agree, that in a civilized country, the poor should be left to die without any notice. It was not to be tolerated—though their lordships might not be able to find any remedy for the evil—that it should not be inquired into. He hoped the noble lord, when he presented the petition he had mentioned, would make a specific motion, and that his majesty's government would take the subject into consideration.

The Earl of Limerick said, he had read of people perishing from want, but he did not give credit to everything which appeared in the newspapers. And did not people perish of hunger in other countries as well as in Ireland? It was, he thought, not very likely to occur, for the peasantry of that country, with all their faults, were as charitable and humane as any in the world.

Lord Holland was of opinion, that before their lordships instituted an inquiry into what ought to be done for the relief of the poor in Ireland, they ought to ascertain what had already been done. He was not a lawyer enough to know what was the state of the law for the relief of the poor in Ireland; he had not any particular acquaintance with that part of the country; but he could not believe that the government could have so long existed, without some law which tended to the relief of the poor. The first inquiry should be into the state of the law on this point.

The Earl of Enniskillen thought, that a great deal of mischief might be done by proposing to introduce the poor-laws into Ireland. It would excite hopes among the people which could never be gratified. The poverty of the people in Ireland was caused by a succession of bad crops, by over-population, and by the non-residence of the landed proprietors.

Lord Redesdale said, that in the neighbourhood of Dublin there were collections made at the churches for the poor, and by that means they were relieved. The whole body of the people were in such a state of poverty, that what they could contribute was not much. He was afraid, however, that if a system of poor-laws were introduced, it would destroy all industry among the people. The best mode of relieving the poor of Ireland, would be to introduce a better system of farming; to
abolish small farms, and to have a body of farmers like those of England. If there was such a body of men, there would be more employment, and not so much misery in Ireland. But to have them several things were necessary. The farmers must have capital, and they must be intelligent, for it was rather the skill of the superintendents of the labourers to which he looked, than to the labourers themselves. When small farmers cultivated land themselves, they grudged every shilling laid out for labour, and their land was never properly tilled. In most cases, where the poor-rates were excessive, they were made so either by manufactories being established in the neighbourhood, or by the land being divided, as in some parts of Sussex, into small portions. Wherever the farms were large, the labourers were better off than where the farms were small. He did not wish to see compulsory relief for the poor introduced into Ireland, as that would destroy industry; and, after a better system of cultivation was introduced, probably the best mode of administering relief would be by voluntary contributions. In Scotland this was the general practice; but in some places compulsory rates had been introduced, and they had been followed, he understood, by unfavourable consequences. Connected with this subject, he must remind their lordships of the Corn-laws. At present, the English market was open to Irish corn, and cultivation had been much extended in that country by the exclusion of foreign corn. He hoped, therefore, that their lordships would remember, whenever the subject of the Corn-laws came before them, the bearings of these laws on the cultivation and prosperity of Ireland.

Lord Ellenborough deprecated the introduction of the poor-law system into Ireland. The noble lord who had spoken first, insisted on the necessity of doing something; but he entreated their lordships to take care, if they consented to make any compulsory regulations, that they were not led further than they intended to go. Let their lordships recollect how the English poor-laws had been twisted from their original form, and consider, if a compulsory system were introduced into Ireland, whether it would not be twisted in the same manner. Some inquiries had already been made on this subject; and he was of opinion, that organising a system of voluntary collection and distribution, as had been recommended by the committee of 1822, was the only safe course. He entreated their lordships, before they began with any compulsory enactments, to consider where they meant to stop.

The Earl of Darnley said, he had no intention of proposing any compulsory laws; but, in the present state of Ireland, the subject urgently required the considerations of their lordships.

The Earl of Belmore said, that though there was no statute law in Ireland for the relief of the poor, there was a common law, which was stronger than any statute law. There was also a common right, which was considered so by the pauper, and acknowledged to be so by those who never failed to give them relief. If a law were to make it compulsory to provide for the poor, that law would diminish the means which at present existed.

HOUSE OF COMMONS.

Thursday, March 20.

CORN DUTIES BILL.] Mr. C. Grant, in bringing in a bill founded upon the late resolutions with respect to the Corn-laws, said he wished shortly to state what it was intended that this bill should do. It was a measure which had grown out of the resolutions lately adopted by the House. It was intended to divide the new regulations upon the Corn question into two bills: the one having for its object the regulation of the importation duties; and the other to direct the mode of taking the averages, and the other machinery of the measure. He now proposed to introduce the first bill; and he hoped in a few days to be able to introduce the other, which was meant to compass the objects which he had already described. This bill enacted, that the averages by the imperial measure were to be struck weekly, and that at the end of every month they should be published in the Gazette, and also an account of the quantity of corn entered and warehoused in each month. It was intended, that this act should take effect from the period of its passing into a law; but not to affect any importations allowable under the present act, if any such should be allowable, upon taking the averages on the 15th of May. But those species of corn not admissible by the existing law were to be subject to the provisions of the new bill.

The bill was read a first time.
Orange Processions.

March 29, 1827.

Orange Processions—Magistrates of Lisburne.] Mr. Brownlow said, that after considerable delay, he was at length happy to bring this subject under the consideration of the House; and he was the more anxious to do so, because he felt it to be one of great importance to the interests of Ireland. If hon. members would but consider to listen to him for a short time, he felt assured that they would coincide with him in this opinion. The object of this motion was, to induce the House to place upon their table, papers containing the correspondence between the magistrates of Lisburne and the Irish government, relative to a recent transaction which had there taken place. In introducing any question relative to Ireland, he felt the difficulty under which he laboured. Things which were mere matters of fact in that unhappy country, were looked upon as the fictions of romance throughout the other parts of the united empire. It had been said, that if any complaint existed in Ireland, it was sure to find its way to the government of the country. Now, he was anxious to furnish the House with at least one sample of that bad article which was called government in Ireland. It was needless to go back to the history of former ages. They saw in Great Britain, in this boasted age, the greatest, the most flourishing improvements in every branch of agriculture, manufactures, and commerce—improvements so great, that, if the great lord Chatham were to arise and open his eyes, he must feel as if in a strange place, and gaze with wonder and astonishment upon them. But, if he should look to Ireland, there too would he find equal cause of wonder and astonishment. He would there see, that from the reign of Henry 6th down to the present period, there had been continued, with little variation, the same system of favouritism, and monopoly of places and power, on the one hand, and the same continuance of bars, barriers, and exclusions towards the great mass of the people. This was an evil to be measured only by the discontent and alienation of feeling which it had produced in that country. The great question for their consideration, as legislators, was this:—Had they so acted as to unite and enlist the hearts and hands of the Irish people in the cause of the empire? He had put this simple question to every English gentleman whom he had met—whether they depended upon the security and support of Ireland?—and he found it generally thought, that Ireland was a spot upon which the greatness and glory of England might be overthrown. Two years ago, a bill was introduced into and passed that House for the suppression of all associations in Ireland. Many men thought that the bill emanated from the opponents of the Popish party, while on the other hand, it was said to be levelled against the Orangemen, with a view to the suppression of their societies. He, for one, supported the measure, because he thought it would have the effect of suppressing all illegal societies. Now, he was not called upon to show that such was the effect of that bill; inasmuch as they all knew it had not put down the Catholic Association. It was at this moment well known that the Catholic Association was in full force and vigour; that it held its sittings, and made its orders, in the same way that that House did; that it represented the bulk of the Irish Roman Catholic body, and levied taxes upon them. But he would say—let no man ridicule the Catholic Association; let no man make little of the speeches made by the members of that body, because they do not square either with his feelings or his politics; let it not be for a moment imagined that each word uttered in that Association would not have a ready echo from the Catholics of all parts of Ireland, and find every breast ready to carry its resolutions into effect. There was, indeed, a time when the aristocracy kept aloof, as well as the priesthood, from the great body of the people; but that time had passed away, and now the aristocracy, the prelacy, the priesthood, and the people, were united and acted as one body, and they all looked up to the Catholic Association, and received their commands, with an obedience never exceeded by that paid to any legislative body in any country. Such were the persons who, upon presenting their petitions to that House, for relief from the disabilities under which they laboured, were told that they had not made out even a primid facie case, in support of their claims even for an inquiry. Thus driven back, the Catholics felt that they had now to surround the Throne with their loud and bitter complaints. This, he maintained, was a state of things which ought to arrest the attention of ministers, and of that House, and induce them to
interfere while it was yet time. He said, that the Catholic Association ought to be put down. But how? They had already tried to put it down by law; and they had failed. They could not then put it down by law; they could not put it down by force, or by penal enactments; but they might put it down by wise and judicious concessions. They might put it down by creating in the minds of the Irish people a feeling of respect and obedience to the laws and institutions of the country, which could only be done by shewing them that they were entitled to equal rights and equal privileges with their other fellow-subjects.

Having said so much, he now came to the more immediate matter of which he had given notice. In 1825, the magistrates of Lisburne met for the purpose of taking steps to prevent the usual party symptoms which were manifested on the 12th of July. The magistrates agreed, under the opinion of the law officers of the Crown, that the Orange exhibitions usual on such occasions were illegal, and therefore determined to suppress them; but a gentleman, the rev. Mr. Johnston, was determined to try the question. This was on the 11th of July. On the following day, the 12th, the usual parade, accompanied by drums, &c., was announced, and the magistrates to whom he alluded, acting upon their decision, proceeded to the spot, pronounced the conduct of the persons so conducting themselves to be illegal, and ordered them to disperse. While in the act of doing this, the rev. Mr. Johnston came up and asked what they were doing? The magistrates replied, that they were acting upon the resolution to which they had yesterday come, and were advising the people to disperse, in order to avoid the penalties of the law. "Ah," said the rev. Mr. Johnston, "that may be just as you please—I think otherwise." The rev. gentleman then led on the Orange mob; who shouted:—"Hurrah, hurrah for Johnston," and the town was kept in a state of alarm and confusion during the whole of the day. On the next day the magistrates sat to take informations, and to inquire into the reverend gentleman's conduct. They all transmitted those informations to his excellency, the lord lieutenant, and they were by him transmitted to the lord Chancellor of Ireland. In a few days after this, the rev. Mr. Johnston received a letter from the lord Chancellor, congratulating him upon his conduct, and on the satisfactory explanation he had given of his conduct. When the magistrates saw this, they were astonished; they could scarcely believe their eyes; they said "We were expressly called together by government to take steps to prevent these Orange processions, and therefore this letter of approval of the rev. Mr. Johnston's conduct must be a forgery; it is impossible that this gentleman, who marshalled the Orange band, and directed them which way to go, could receive from the lord Chancellor a letter of congratulation." Such, however, it was found, was the fact.

Mr. Hawkshaw, one of the magistrates, feeling the question as he ought, wrote to the Irish Secretary, stating that he had heard of the lord Chancellor's letter of congratulation to the rev. Mr. Johnston, and begging to know what was thought of the conduct of himself and those who acted with him upon that occasion? To this letter he received an answer from the right hon. Secretary, informing him, that his Excellency the lord lieutenant highly approved of the conduct of Mr. Hawkshaw and his brother magistrates. While the conduct of Mr. Johnston thus received unqualified approbation from Dublin, the letter which the magistrates sent up received no answer. Surely that was misgovernment: it was worse: it was a satire upon anything like good government, and all that Junius ever wrote was not so powerfully satirical, nor could it equal in the bitterness of its words, this practical illustration of inattention to the proper duties of government. Was it in an assembly of Englishmen that such conduct was to be described as government? Was it, he would ask, the part of any good government, either directly or indirectly, to sow divisions among the people? Or ought any one to be permitted thus to set one man against another? Were the Irish people to be the victims, whose humour, or error, or misinterpretation, was thus to create an unusual law? He never was, nor ever should be, ashamed to own that he had once been an Orangeman. There was not in the whole kingdom a finer race of subjects—a more independent, highminded, or public-spirited body, or a set of men more willing and more anxious to do their duty, according to their sense of it—than the Orangemen of the North of Ireland. They possessed, in an eminent degree, both spirit and
strength; and if these were properly directed to the service of the true interests of their country, instead of being employed in that maddening question which wasted its strength, their existence would indeed be a blessing to Ireland, promoting a general love among the people, instead of maintaining their present unhappy enmity to each other. The Orangemen possessed energy and industry sufficient to make the country prosper in a time of peace, while they were also distinguished by that manly spirit which would guard and defend it in the time of war. But, unfortunately, their energies were misdirected, and nothing but misery to the country was the consequence. On the Orange anniversary, it ought to have been the care of every man to prevent any thing that might lead to riot; but, if one body of persons were permitted to walk in procession, another would do the same. Quarrels must be expected to ensue, perhaps loss of life—and vengeance would then be bequeathed as a sort of legacy to the survivors. Hence arose that anarchy which was the curse of Ireland: hence the want of employment, the want of food, the want of national production, and of contribution to the general necessities of the state: hence it was, that Ireland was one vast mad-house of demoniac spirits, one half of which were ready to range themselves under the standard of any man who would undertake to lead them to the destruction of their fellow-subjects. The more distinguished their leader, the better for them, since he would be more able to justify their conduct, or to shield them from its consequences. On the other hand, the remaining half would be the willing soldiers of any man who possessed the talent to state their wrongs; the wish to relieve them; and especially if that individual had not the means of gratifying his wishes and their own by the operation of the laws. The hon. member then alluded to the divisions of the cabinet, and declared that it was his decided opinion that they were productive of much harm; that, if they were not for them, the evil would be much diminished, if not destroyed; for that they were, in fact, if not the source, at least the cause, of the augmentation of the evil; since they descended from the highest to the lowest ranks, and perpetuated the divisions in Ireland. The hon. gentleman concluded by moving for Copies of the Correspondence between Mr. Hawkshaw and three other gentlemen, four of his Majesty's Justices of the Peace for the county of Antrim, and the right hon. Henry Goulburn, relative to the Marching of a Body of Orangemen, on the 12th of July, 1825, in Lisburne, together with Copies of all Affidavits forwarded by said Magistrates to his Majesty's Government."

Mr. Goulburn said, that if the object of the hon. member, who had just concluded a long address to the House, had been to repress that party spirit which had been, and still was, so injurious to Ireland, he had adopted a very strange method to bring about such an end; and if he thought that the welfare of that country depended, in any degree, on the existence of harmony and good will between magistrates of different sentiments, on the one great subject, he had, indeed, taken a strange mode to promote such an object, by listening so totally to the one side, and dropping so completely the defence of the other. It was the duty of the Irish government, and was, surely, equally the duty of each individual member of that House, when bringing forward and discussing charges of a personal nature, to take the pains to inquire into the origin of those charges, and to ascertain the grounds upon which they were made. Now, he would first of all declare, that the government of Ireland, though formed of those who differed upon the one great question, uniformly acted with the greatest impartiality; and that, though there were many persons in it, who thought that concessions to the Roman Catholics ought to be granted, and others who felt and contended, that they ought to be withheld, whenever questions came before it, with reference to the existing law, there was no difficulty in the government being perfectly agreed upon that law, whether it affected an Orangeman, or a Catholic, or any other class of the community. In all cases, the strictest justice was given, and the law most impartially administered. To the case now before the House, he was prepared to show that a proper consideration had been given, and that a decision upon it had been formed—not by the lord lieutenant in one way, and by the lord Chancellor in another; not by the Secretary for Ireland after one fashion, and by the Attorney-general for Ireland after another—but that, whether the decision had been right or wrong, no difference of opinion
had existed with reference to it. The circumstances of the case were these. It was perfectly true, that previous to the 12th July, 1825, the government did take every means in its power to prevent such expressions of popular feeling as might tend to excite animosity, either on one side or the other, and to promote riot and disturbance. With this view, his majesty's Attorney and Solicitor General were called upon to deliver their opinions as to the illegality of Orange processions; and those opinions decided the government in the course it was to pursue. On the 11th July, the magistrates of Lisburne had a meeting for the purpose of giving effect to the wish expressed by the government. At that meeting five magistrates attended, four of whom held opinions such as had been stated by his hon. friend, and one of them, the rev. Mr. Johnston, differed from them. He said he entertained doubts, as to the constitutionality of the proceedings at all; and he, therefore, stated to his brother magistrates that they should resort to every means, before they resorted to force, to prevent their taking place. He did not however refuse to co-operate with them; on the contrary, he declared his readiness to assist them in their views, at the same time that he declared his opinion, that force ought not to be resorted to. Now, he would state his conviction, that no rational magistrate need be ashamed to hold such sentiments; or to think that, before he resorted to force, he was bound to use every other means, and that to force he should only apply as a last extremity. When the House was informed that this magistrate was also a clergyman, and that he was, therefore, more especially bound to inculcate the lessons of humanity, and when to this was added, that at the period referred to he was in his seventy-eighth year, the House, he felt assured, would not be inclined to tax him with any want of proper vigour, or any distaste to discharge his duty, in counselling his brother magistrates, that they ought not to resort to force to suppress those processions; or, at least, not until every other means had been tried, without effect, to suppress them. The next day was the 12th of July, and it was true that a riot did take place at Lisburne, in the early part of that day, but it was strenuously denied by Mr. Johnston, that he had promulgated the opinion which he had previously given to the magistrates, and it was declared by him on affidavit, that he had given that opinion to the magistrates alone. He had, however, been charged with promulgating such opinion, and he could do no more than deny it. On his side it was distinctly stated, and confirmed by affidavits, that he did not arrive at Lisburne until after the riot had taken place; and that, subsequently to this riot, and after he had been present, no material disturbance of any kind occurred. On the receipt of the application which so greatly affected the character of Mr. Johnston, the lord lieutenant directed the papers to be laid before the lord Chancellor, who immediately applied to the accused party for an explanation of his conduct. This explanation contained the facts now stated. On receiving Mr. Johnston's first letter, the lord Chancellor made no reply; but that gentleman, being extremely anxious that some decision should be come to, wrote again to his lordship, and forwarded to him additional statements and affidavits. To this second letter, the lord Chancellor sent the following answer:—"Sir; I am sorry that you should have had the trouble to write a second letter, as your first was of so satisfactory a nature as to have rendered it unnecessary. That first letter reached me when I was on the eve of quitting Ireland, or it should have received a reply. Assuring you that I do not feel myself called upon to censure you in the discharge of your magisterial duty, I certainly differ from you in the construction you have put upon the opinion of his majesty's law officers; for, undoubtedly, if Orange Societies be illegal, any deputation from a procession of them must be equally illegal; independently of the effect that such processions must have in irritating the minds of many persons, and the danger that they may lead to riot and disturbance." So, then, instead of giving support to this magistrate in the declaration of his opinion, here was the lord Chancellor directly condemning it; and it would be difficult to say how he could have more distinctly declared that he differed from him, than by the words which had been now read from his letter. If the gentlemen who placed the information in the hands of his hon. friend had had common candour, they would hardly have instructed him so completely to condemn a letter containing such a paragraph. Now, it so happened, that in consequence of the Chancellor's going to England, these papers came into
the hands of the civil officers of the Crown; and it was thought, as there were such conflicting statements contained in them, that the better way would be, to lay them before the Attorney-general—a gentleman whose, at all events, the hon. member would not stigmatize as an Orangeman; and the short note which he (Mr. G.) received from the right hon. gentleman was as follows:—"I think the magistrate in question has given such an explanation of his conduct, as must quite do away with any necessity for his removal." Such was the opinion of his right hon. and learned friend, and it was in strict accordance with that of the Lord Chancellor. Mr. Johnston subsequently made an application to the lord-lieutenant for the affidavit which had been made, and the letters that had been written, relative to his conduct, and containing charges made against him as a magistrate, in order that he might make them the ground of an inquiry before a legal tribunal. But the government of Ireland had conceived itself bound to consider the effect which the granting such a request might have upon the public mind, in perpetuating discord, and continuing that irritation which it was their earnest desire to repress. He (Mr. G.), therefore, wrote to Mr. Johnston a letter, in reply to his application, stating, that it did not appear to the lord-lieutenant that it would be proper to place in his hands the documents for which he sought, or to give him any assistance, in bringing the subject before a legal tribunal. Such, then, was the state of this transaction. He had endeavoured to explain it fairly and openly, and as he conceived it to be. There was, however, one point more on which he was to observe. The reasons that induced the Irish government to withhold from each party the statements made by either, against those to which they were opposed, would have the same effect now, in inducing him to withhold the documents for which the hon. member had moved. Their production could not possibly do good; and would only tend to excite that animosity, and renew those irritated feelings, which, but for the expectation of this motion, would long since have passed away. To bring them forward would be only to rip up those sores that had been long healed, and to bring once more into being, those feelings of bitterness and hostility, to suppress which had been the policy of the Irish government.

Mr. Spring Rice said, he would put it to any member to declare, whether the production of the papers that had been moved for could, by possibility, do more injury than had been done by the debate. The House had been in possession of all that could be said, both on the one side and on the other; and the motion was merely to put it in possession of documents on which it might hereafter act. The question at issue was, whether lord Manners, in writing the letter referred to, was justified or not? in considering which, it was necessary to recollect, that Mr. Johnston came into the town of Lisburne, in his character of a magistrate—in his character of a clergyman—decorated with Orange emblems; and, forgetting every thing but his passions, lent the sanction of his name and character to the proceedings of the Orangemen there assembled. By the letter in question, lord Manners stood convicted of not having carried the law into effect. The hon. gentleman proceeded to enforce the arguments of the hon. mover; contending, that if ever there was a case which called for the application of that power with which the lord Chancellor of Ireland was clothed, the present was that one. The right hon. gentleman had said, that the Attorney-general for Ireland had approved of the letter of lord Manners. But, what was the fact? That when the case was laid before him, he merely said, he saw no cause for striking Mr. Johnston out of the commission of the peace. The hon. gentleman here pronounced a warm eulogium upon Mr. Brownlow, whose frank, honest, manly, candid, avowal of former errors, gave the very best proof that the alteration in his opinions was sincere. He had earned and received the blessings of the independent portion of his country, and had only taken that course freely and liberally, which others, less prudent as well as less candid, would hereafter find themselves compelled to adopt.

Sir William Plunkett said, the House would feel that he could scarcely give a silent vote upon the present occasion. He did not agree with those hon. gentlemen who treated the question as one merely of fact. The fair question, he thought, was this: whether the hon. member for Armagh had made out such a prima facie case, as called upon government to produce the correspondence referred to; and he had no hesitation in saying that, in his opinion, no such prima facie case was established.
In fact, he did not recollect ever to have heard a complaint brought before the House, which had been pressed with more earnestness, or had been more destitute of real ground to stand upon. It was difficult to connect the object of the complaint. He gave every credit for purity of motive to the hon. gentleman who had introduced it; but he did not see what practical advantage was to be gained by investigating the history of an insulated transaction, which was two years old, and which every body had forgotten. Was it meant to prosecute any of the parties concerned in the quarrel in question? Or was it meant to remove the magistrate, Mr. Johnston, from his place; or to fix a censure upon the lord Chancellor of Ireland? His belief was, that the object desired was none of these; but that there was a wish to convince the House of the evils which the administration of the law was exposed to in Ireland, in consequence of the divided politics of the government of that kingdom. Then, if this was the case, he had never seen a more complete failure; for he appealed to the House, whether every step which had been taken in the transaction in question, did not show that, however divided the members of the Irish government might be upon other subjects, as to that there had been among them the most entire accordance. The hon. member for Limerick had expressed his regret that he should take upon himself the task of defending the conduct of the lord Chancellor of Ireland. He had no doubt that this regret was meant in a complimentary sense; but it was a compliment which he could not accept; for he had no hesitation in saying, that upon the present transaction, as well as upon every other point connected with the administration of justice, he was most perfectly ready to identify himself with that noble and learned lord. It could hardly be necessary, he hoped, for him to defend himself against every imputation of favour to Orange principles or Orange feeling. In office, and out of office, he had incessantly showed himself an enemy to the Orange system, and had done his best to put it down. In his endeavours to accomplish that end, he might, perhaps, be accused of haste or indiscretion; but there were few who would refuse him credit for having been sincere in his endeavours. Therefore, while he agreed with his right hon. friend that the great body of the Orange party was composed of as honest, independent, and worthy men as any in Ireland, yet he thought that their very connexion with that system poisoned all their utility, and neutralized all their good qualities. Free-masons, Orangemen, Ribbonmen, or what not—the opinions of the Irish government, ever since he had been connected with it, had been that all associations were prejudicial to the well-being of Ireland, and the uniform object of the government had been to put them down. There were many honourable persons near him, from whose general views of policy he differed; but as to the treating every description of association, of whatever character, with discouragement, there had never been a difference of opinion among them. Now, in the case of the transaction immediately in question, his hon. and learned friend, the Solicitor-general for Ireland, with himself, had been consulted, as to the exhibition of processions of the same character with that of the 12th of July; and they had at once been of opinion that they were illegal. The society, whether it were one of Masons or of Orangemen, being illegal, it followed that its procession must be illegal; and it was further illegal, because it was sworn upon affidavit, that it was likely to lead to a breach of the peace. Then what, upon the showing of the hon. member for Armagh himself, had been the conduct of Mr. Johnston? Mr. Johnston had thought, and thought very weakly, that because the word "procession" did not appear in the act of parliament, therefore the procession could not be illegal; but that was Mr. Johnston's opinion only. The question now was not upon his opinion, but on his conduct. From what had been said by the hon. member for Limerick, the House might be led to suppose, that Mr. Johnston had promulgated this opinion to the mob, but he had done no such thing; he had expressed his opinion to the magistrates, but to the mob he had used no advice, but that they should at once yield to the law, as it was laid down to them, and disperse; and they had, in consequence, dispersed without any breach of the peace, and from that day to the present there had been in Lisburne no similar procession. The mob were aware of Mr. Johnston's opinion; but they yielded to his advice; and, instead of producing mischief, he had rendered a service to the country.—And now, what was the charge against lord Manners? It was,
that he had written a letter to Mr. Johnston, in which he explained to him that he had been mistaken in his view of the law, but had approved of the conduct which he had actually pursued. Why, this was exactly the true state of the case. Mr. Johnston's law had been wrong; but his conduct had been judicious and considerate. There was no congratulation in the letter of lord Manners. It merely said, "You are altogether mistaken in your view of the law, as to these processions; but I am happy to find, from your explanation of your conduct, that you have done all in your power to discourage them; and that the unpleasant duty does not devolve upon me of passing censure upon an individual of respectability." Then, for the memorandum, alluded to as made by himself. He had certainly stated, in that memorandum, that he thought there was no ground for removing the rev. Mr. Johnston from the magistracy. He had stated this, and he now added, that he did not think there was ground for pronouncing any censure; because, while he had always done that which he could to put down these associations and processions, still he was opposed to the system of doing this violently, and by prosecutions, which, unless they were peremptorily called for, must do mischief to the object which they were intended to serve. He believed that the Orange spirit in the north of Ireland was abating, and that it would expire, unless injudicious measures (and none could be more unfortunate than violence) were resorted to, which should have the effect of provoking and keeping it alive; but for this reason it was, that he regretted the introduction of the inquiry before the House, as tending to revive differences and ill-feelings, long since dead in the minds of those who had originally entertained them. There was one part of Mr. Johnston's conduct, certainly, which he condemned: he meant the wearing of the Orange ribbon. This had been made the subject of a good deal of rhetorical exaggeration. It had been called a "coming down decorated with Orange emblems," &c. The short fact was, that he had come down with an Orange ribbon about his neck—a sort of decoration which he had been in the habit of wearing for years; but there could be no doubt that to do so, at such a time, had been indiscreet. Still, Mr. Johnston could not be prosecuted for wearing an Orange riband. To have removed him from the magistracy for doing it, would not only have been unreasonable, but highly impolitic and mischievous. And giving, as he repeated he did, every credit to the sincerity and pure intention of his hon. friends, the members for Limerick and Armagh, he could not help doubting whether it had been worth while to rake up this stale story out of the oblivion into which it had fallen. He left this question to the House. The intention of the hon. gentlemen, no doubt, was excellent; but the circumstances had all happened two years since: they were forgotten over and over again; and the place in which they had occurred had ever since been perfectly tranquil. For the conduct of the government, however, of Ireland, he must once more declare, that whatever differences of opinion upon other subjects might exist among its members, upon every question connected with the administration of justice, there had always been among them—without reference to Protestants or Catholics—the most perfect uniformity.

Sir J. Newport said, he never expected to see the day, when his right hon. friend would admit an identity of principle with the lord chancellor of Ireland.

Sir W. Plunkett begged pardon for interrupting his right hon. friend. Every man who heard him knew that, upon the great political question that divided the country, and upon several others, his opinions were, _toto caelo_, at variance with those of the learned lord alluded to; but, with respect to the administration of justice in Ireland, he fully identified himself with him and the other members of the Irish government.

Sir J. Newport said, he would repeat his regret, that, in the particular transaction then under discussion, his right hon. friend had condescended to identify himself with that learned lord, who, in a question respecting the conduct of the magistracy of Ireland, had acted in the manner which had that night been described, and which could not be justified. He felt proud of his connexion with his right hon. friend; but a sense of public duty compelled him, and, were he his brother, would compel him, to state his opinion of his conduct. Instead of exhibiting unity of sentiment and of action, the transaction in question, beyond any other that could be adduced, displayed the consequences that resulted from a divided government in Ireland.

The
question before the House was, the production of certain documents, to enable the House to judge by them, whether or not the assertions of the hon. mover were borne out, respecting the lord chancellor of Ireland. His right hon. friend had said, that, on the occasion referred to, Mr. Johnston had come into Lisburne with an orange ribbon in his breast as usual. But it had been sworn, that Mr. Johnston had worn a broad orange sash. Was that usual with him? His right hon. friend had also said, that Mr. Johnston had expressed his opinion respecting the act of parliament to his brother magistrates. Did he confine his delivery of that opinion to them? The fact of conflicting statements as to the contents of the documents called for, was, of itself, sufficient to induce the House to grant them, in order to enable them to judge which set of statements was correct. He could not agree with his right hon. friend, that Orange processions in Ireland were rapidly decaying, and would be soon extinct. His right hon. friend (Mr. S. Rice), could bear testimony to the fact, that during the last year those processions had not been less frequent than in the year preceding, when the procession connected with the motion before the House had taken place. Whilst upon that subject, he would direct the attention of the House to what was stated in the year 1811, when the right hon. the President of the Board of Control brought under the notice of the House the Orange Societies in Ireland. Upon that occasion, the Secretary of State for Foreign Affairs, and several other right hon. and hon. members, had said, that if parliament did not interfere with those Associations they would decay of themselves. What had been the result? That, in the year 1824 or 1825, a bill was brought into parliament, embracing, among other objects, the suppression of those associations; and, upon the former occasion, he well recollected the statement of the noble lord now no more, that he was convinced, when the legislature expressed its disapprobation of such associations, the good sense of the people of Ireland would suggest to them the propriety of not indulging in processions of an irritating and exulting nature; but the result proved how much that noble lord mistook the feelings of the individuals composing those associations. It appeared to him, that when, in support of the motion, certain statements were made, when those statements were met by direct contradictions, and when those who gave the contradictions opposed the production of documents, which would at once convince the House on which side the truth lay, it must be taken for granted, that the parties who opposed the motion, were afraid to appeal to those documents.

Mr. Secretary Peel said, he should confine his observations to the single question before the House; namely, whether any parliamentary grounds had been adduced for the production of the papers. He would not follow the example of the hon. gentleman who had occupied the greater part of the time during which his speech lasted with debating the Catholic question. When called upon to pass an opinion upon high public authorities, he was sure that the House would not mix up with that the question of the Roman Catholic claims. Though he did not believe the hon. gentleman had introduced this topic for the purpose of influencing the House upon the present question, he must say that he thought the introduction of it at all thing but fair. The right hon. baronet had said, that the conflicting statements which had been made were a sufficient ground for the production of these papers. He could not admit the extent of the right hon. baronet’s reasoning. He thought that the question upon which the House had to decide was this—had such a proof, if any case been made out, as to satisfy the House that further investigation was necessary? For his own part, he thought that there never was a case to which less suspicion attached. He thought he should argue the question fairly and properly, if he took this view of it—that a magistrate had or had not acted improperly, and that the chancellor of Ireland had or had not supported and encouraged him in his improper conduct. First, however, he must be allowed to say, that he heartily wished all these associations were at an end. He believed that they were dying away; but at the same time he agreed with the right hon. baronet, that if the processions were done away with, it would be better for the peace, the tranquillity, and the happiness of Ireland. Any opinion, therefore, which he might hold—any of the strong opinions which he was known to entertain respecting Catholic emancipation—could not fairly be supposed to influence him upon the
present question. If he were a private gentleman in Ireland, he declared to God that he would, by his influence, by his example, by every means in his power, endeavour to put down these associations and processions. With respect to the question before the House, they were now called upon to investigate circumstances which had happened two years ago. He held in his hand the statement of Mr. Johnston, respecting these circumstances, and his motives. The hon. gentleman opposite appeared, by his cheers, to ask, why he did not produce it. He would tell the House why he would not—because it implicated other persons—because Lisburne had been in quietness ever since—and because these circumstances had been for some time past buried in oblivion. Why, then, should he renew the disturbances even in recollection? It appeared that a complaint had been made to the lord Chancellor respecting Mr. Johnston, and the latter was immediately called upon for an explanation. The outline of this gentleman's statement was as follows:—

He was an old clergymen, seventy-eight years of age, and had no intention whatever of interfering, when the circumstances complained of took place. He was, however, called upon by a police magistrate, who entreated him to attend a meeting of the magistrates. He went there, and found them debating how they should behave on the following day, which was the anniversary of the battle of the Boyne—a day which it had always been customary to celebrate by processions. He was told, that in the opinion of the Attorney and Solicitor General, these processions were illegal; but upon looking over the act of parliament he did not find the word “processions” in it, and he therefore gave it as his opinion, that the act did not include processions. At the same time, however, he strongly recommended them, as a friend, not to use force. He denied that either directly or indirectly he took any part in the proceedings; and though he took a different view of the law from the Crown-lawyers, yet, as a friend, he advised them to disperse peaceably. It was true that he entered the town with an orange ribbon, and certainly he would have been better advised if he had left this distinguishing badge at home. Mr. Johnston, however, stated, that he thought he should have more influence with the Orange party, if he wore the insignia which proclaimed him their friend, and appeared with a badge which he had worn on that day for nearly forty years. He thought this a fair and honest declaration; but, at the same time, he would repeat, that, in his opinion, Mr. Johnston, as a magistrate, did not act judiciously in appearing with this distinguishing mark. This statement had been sent by Mr. Johnston to lord Manners, and he received no answer to it; it being the custom of his lordship, when he received a vindication which he thought satisfactory, not to return any answer to it, but to let the matter rest. Mr. Johnston, however, was uneasy at receiving no answer, and wrote to lord Manners, who replied, that though he differed entirely with him as to the law, he was glad that he had been able to send him so satisfactory a vindication. Could this be called encouraging Mr. Johnston in his conduct, when the Chancellor expressly told him, that the view which he had taken of the law was wrong? He thought this a fair statement of the case, and, if it was, he would ask if any parliamentary grounds had been made out in favour of the motion? If, after a lapse of two years, no worse case had occurred—if the hon. gentleman who had brought forward the motion had not been able to adduce any thing of a more aggravated nature—was it wise to revive this circumstance? Was it not fair to infer that occurrences of this nature had been made to wear away by good example? When these occurrences took place, it must be recollected, that the act which forbade them had only just passed. If it had happened lately, the matter would have worn a very different aspect. It must be recollected, that the person in question was a very old gentleman; that he had been in the habit of seeing these things done all his lifetime, and at times when exhibitions of this nature were not looked upon in the way in which they had subsequently been viewed. Some allowance must be made for circumstances and example; and a little consideration should be had for adherence to former opinions. He entreated his hon. friend (for he must allow him to call him so) to recollect, that this circumstance took place in July 1825, and that in the March preceding, his hon. friend had presented the petition from the Orangemen, which prayed an inquiry into the institution, objects, signs, oaths, and pass-words of the Orange lodges in Ire-
land, and stated that the Orangemen were most anxious for inquiry. He (Mr. Peel) had taken a part in the debates of 1825, and he then held precisely the same language which he held now, and said that nothing could compensate for the existence of these associations. He never could agree to the production of papers which would inculpate parties who had no disposition whatever to violate the law; and, under these circumstances, he should decidedly oppose the motion.

Dr. Lushington said, that the right hon. gentleman had promulgated the doctrine, that the best way to judge of Mr. Johnston's motives, was to refer to that gentleman's own statement. For his part, however, he thought the facts of the case would be a much surer guide to this point. The state of it was this: there were the opinions of the two legal officers of the Crown upon a certain point of law; and the rev. Mr. Johnston, a person altogether unacquainted with the law, thought proper to differ from them, and to act upon his own opinion. It was stated, that one of the parties, which formed these processions, marched under his immediate guidance and direction; and, if this were true, he thought that the person who had so prostituted justice ought not to be allowed to remain in the commission.

The House divided: For the motion 69; Against it 124: Majority against the motion 55.

List of the Minority.
Abercomby, hon. J. Hennege, G. F.
Althorp, lordIeron, sir R.
Baring, A. Honywood, P.
Baring, F. Howard, hon. H.
Bentinck, lord W. Howick, lord
Buxton, T. F. Home, J.
Calcraft, J. Hutchinson, H.
Clifton, lord Jephson, O.
Colborne, Ridley Kemp, T. R.
Davies, colonel Kennedy, T. F.
Dawson, A. King, hon. R.
Denison, W. Labouchere, H.
Du Cane, Peter Lembre, E.
Easthope, J. Lushington, Dr.
Ebrington, lord Maberly, W. L.
Elzakerley, N. Macdonald, sir J.
Ferguson, sir R. Majoribanks, S.
Fitzgerald, John Martin, R.
Fortescue, hon. G. Marshall, W.
Gordon, Robert Maule, hon. W.
Graham, sir J. Monck, J. B.
Grettan, H. Morpeth, lord
Grettan, J. Nugent, lord
Harvey, D. W. O'Brien, Lucius
Heathcote, G. Parry, sir H.

Appeals from India.
Ponsonby, hon. G. Sykes, D.
Ponsonby, hon. F. Tomes, J.
Robarts, A. W. Tierney, right hon. G.
Robinson, G. Warburton, H.
Russell, lord J. Western, C. C.
Russell, lord W. Wood, alderman
Rumbold, C. Wood, Charles
Smith, W. TELLERS
Stanley, hon. E. Brownlow, C.
Stuart, Villiers Rice, T. S.

House of Lords.
Friday, March 30.

FEES ON PRIVATE BILLS.] The Earl of Hardwicke presented a Petition from himself and several other proprietors of land, in the Bedford Level, complaining of the great expense of passing Private Bills, and praying their lordships to institute a committee to inquire into the matter. The petition was presented in consequence of a bill then on its way through parliament for underdraining the South Level. It was of some importance, that undertakings of such a description, which materially benefitted the community, should not be exposed to any unnecessary expense. In this case the petitioners complained, not merely of the amount of the fees levied, but of the uncertainty of what that amount would be. On this bill there were no less than fourteen sets of fees to be paid; so that the parties could not know what the expense would be. In his opinion, such things ought to be a matter of notoriety, so that persons bringing a private bill into parliament, should be certain beforehand what it would cost. In a case which recently occurred to the bishop of Exeter, it was necessary, in order to improve the cathedral, to pull down some houses, and the act of parliament enabling the dean and chapter to purchase the houses to be pulled down cost more than the property was worth. It had been stated by a noble lord, that the expense of passing private bills had been much increased by the practice of appointing agents; but this he did not believe was the case. The agents saved the parties a great deal of trouble, and transacted that business by correspondence, which persons must otherwise come from a great distance to transact.—The noble earl concluded by moving for the appointment of a committee, to inquire into the subject, which was ordered, and the committee appointed.

APPEALS FROM INDIA.] The Marquis
of Lansdown rose, in pursuance of the notice which he had given, to call their lordships’ attention to the subject of Appeals from India. He proposed by his motion to put their lordships in possession, by the information it would cause to be laid on their table, of some circumstances which would show them that a great practical grievance was suffered by that portion of his majesty’s subjects who constituted that distant part of the empire. He hoped their lordships would think no apology necessary from him for bringing before them a question, concerning which he did not pretend to have any local information; but it must happen, while the government of countries of vast extent, and at a great distance, was under our sway, that such questions should come before their lordships, who had acted with him, and, above all, the administration of justice in that distant country was concerned. He did not mean to say from what cause the difficulty had arisen; but the fact would be proved to their lordships by the papers, for which he meant to move. Ever since the year 1773, when, by the act of parliament for regulating the judicature in India, the duty had been cast on the privy council, of hearing and deciding appeals, a large number of them lay, not merely not decided, but on which no proceedings had taken place at all. The number of these appeals, from one court, amounted to forty or fifty, on which no proceedings whatever had taken place. In one instance, there was an example of appeal, in which the property of the whole seditious Ramnad was concerned; which was an extensive district, containing many square miles, and many thousand inhabitants; and, during the time the appeal was pending, on which no proceedings had taken place, no man could tell what were his rights in the district, and the people were ignorant to whom they ought to pay their rents. He did not mean to impute blame to any person, or to say that these causes had been put off or delayed by any one man’s conduct; because he was induced to suppose that the machinery was defective by which appeals were sent from India to England, so that they were not brought under the consideration of the privy council. No man who knew the zeal and ability of his noble friend, the president of the privy council—none of his lordships, who had acted with him on committees, and were aware of his manner of managing business in them, or in that House—could for one moment suspect that he was to blame for this delay. But it did appear that there existed a great practical grievance—a great delay in getting those appeals brought to a hearing—which defeated the intention of the legislature, when it cast on the privy council the duty of hearing and determining these appeals. The consequences of these delays were most injurious. As long as litigious suitors in India knew that they had a power, by lodging an appeal, of keeping a cause suspended for years, it was a temptation to them to do so, as they were sure of deriving a fraudulent benefit from their injustice; when, if they knew from authority, that such appeals would be heard and decided, they would never bring them. As the number of those appeals increased, which came from courts in distant parts of the country, their effects extended over more individuals, and produced greater mischief. He knew it would be said, that the delay was caused by no agents being appointed; and this was, he believed, the case; but, unless the machinery was provided for bringing these appeals before the privy council, it must be difficult for the native suitor, who employed fakeels as his agents, to find the means of following up his suit. He did not know exactly what that machinery ought to be, whether there should be an officer appointed here to bring forward the appeals, or whether any other measure should be adopted. The fakeels, who conducted business before the supreme court, might be competent to manage the business here; but many appeals came from provincial courts, and in them the suitors were destitute of all means of bringing their cause under the consideration of the council. It was necessary to recollect, that some of these appeals came from persons immediately connected with the government of India: they were transmitted, some to the India House, and some to the Board of Control: but, in many cases, they came from persons who were accustomed to lay their statements before one or other of these bodies, and, after sending in a roll of paper, to wait in silence, and without impatience, for a determination. From whatever cause the difficulty arose, it was due to the people
of that country to endeavour to remedy it. If it arose from the constitution of the privy council, the members of which might find some difficulty in determining questions arising from disputes concerning rights which had to be determined by the laws of India, an obvious remedy ought to be found, by calling to the assistance of the privy council some of those respectable individuals who had filled high judicial situations in India, who now enjoyed pensions for their services, and who might give this assistance for those persons, and which he was sure they would be most willing to give. He did not say whether they should be employed as assessors, or whether his majesty should be advised to place some of them in the privy council. If the difficulty arose from counsel, there could be no difficulty in finding a remedy for it. If it began at the other end of the proceedings—if it arose from a difficulty of preparing and transmitting appeals, and bringing them before the privy council, some provision should be made to facilitate the bringing them before the council, so that they might be speedily decided. At present, from whatever cause it arose, the appeals could not be prosecuted to a conclusion, and the delay amounted to a denial of justice. Many of these appeals had been lying over ten, twelve, and twenty years. They came from different parts of India, and left numberless questions connected with property in an unsettle state. The noble marquis concluded by moving for a return of all cases of appeal which had been transmitted from various courts in India, since the year 1800; and from Ceylon, the Isle of France, and our other Eastern dependencies, since they had been in our possession, stating how they had been disposed of. It had been his intention, he said, to have moved for the return from India since 1773; but on finding that, previous to 1800, the communications on this subject had not been made regular, he had extended his motion only to the year 1800.

The Earl of Harrowby said, he did not rise to oppose the motion, to which he could have no objection under any circumstances. His noble friend, who had frequently called their lordships' attention to many important subjects, had undoubtedly a right to call their attention to this; and had he even done it in a manner different from what he had, no feeling of soreness could have arisen in his mind.

But the manner in which his noble friend had brought forward the subject was calculated to do away any unpleasant feeling, were it possible, which it was not, that any could exist. His principal object in rising was to make one or two explanations, that it might not be supposed that the privy council was the cause of the delay which existed. Their lordships were aware that the privy council was a court of justice, and, like other courts, could take no cognizance of causes unless they were regularly brought before it. It could not hear those appeals, unless the parties were present, or some agent for them. But when the appeals were entered and followed up by the agents, they were heard to an end, and were not delayed. For what passed before the cause came before the court, or before one of the parties made an application to it, the privy council could not be responsible. He believed his noble friend was misinformed, however, as to the number of the appeals which were undecided. He thought the number of appeals, since 1800, had not exceeded nine; and, except in one instance, no step had been taken, no agent had been appointed, and no means adopted for carrying them on. Their lordships would see, that merely sending a petition did not enable the privy council to proceed. Surely the counsel who advised the appeal from India, should have sufficient experience to know, that unless there was an agent here, he was answerable for the fees, which went to the public, and to employ counsel, the appeal could not come before the privy council. It could take no notice of it whatever. As far as the privy council was concerned, he could say, that whenever causes were brought before it, there was no unnecessary delay. There were at present only four causes ready for hearing. As to the privy council not being properly constituted as a court, and as to his noble friend's suggestion to have assessors, the council had questions to decide of Dutch law, of French law, of Spanish law, and of the law of every people from whom we had ever taken a colony, and he had not heard any complaints made by the learned and able persons who sat in the privy council, that they could not understand those laws. He was persuaded that they did not find a greater difficulty in deciding such questions, than their lordships had in deciding questions of
Scotch law. He believed, also, that, by the assistance of counsel, questions of Hindoo or Mahomedan law might be decided in the privy council. It appeared to him, therefore, premature to suggest an alteration in the constitution of the court. He had not the least objection to produce the papers, though he must say, that no prior case had been made out for imputing delay to the privy council.

The motion was agreed to.

Houae of Commons.
Friday, March 30.

State of the Administration.] The Chancellor of the Exchequer moved, that the Report of the Committee of Supply be brought up. On the question being put,

Mr. Tierney said, he wished to suggest to the House the propriety of postponing the vote of supply till the last day of April. He had two objections to the vote: one was the large amount of it; the other arose from the existing state of public affairs. As some gentlemen might not be aware of the nature of the vote proposed by the Chancellor of the Exchequer, he must trespass for a short time on the patience of the House, whilst he gave a brief explanation of the course of proceeding in such cases. The elder members were aware that about five and twenty years ago, a question had been agitated in the House respecting the arrears of the civil list for some time previous. These arrears occasioned the attention of parliament to be directed to a consideration of some remedy for the evil, and the means of preventing a recurrence of it. In 1815, an act came into operation, by which the civil list got rid of a great number of payments by which the years had been occasioned. These had amounted to a large sum in the years immediately previous to 1815. This formed the estimate of the outgoings of the civil list; and it became the duty of the House to prevent an improper application of the public money so granted. The mode of proceeding was for the ministers to present an estimate of what was necessary, and next year to produce a statement, to show what had been done with the money voted upon it. This year the statement was 296,000l. The estimate was 300,000l. to meet the coming expenses of the current year. It was impossible to imagine a grant which was more a grant of confidence than this. His chief objection was, that it was a grant of confidence; and confidence in whom? He wished to express himself in a manner entirely free from disrespect towards any person in the House; but before he consented to grant a sum of 300,000l., he must know to whom it was to be granted, and who were to be responsible for the proper application of it [hear]. With respect to the grant itself, there was a great deal to be said, if this were the proper time to say it; but, unless he could succeed in prevailing upon the House to defer the consideration of the vote, it would be a waste of time to detail his objections. He would just observe, however, that the sum for diplomatic services this year was not much less than 370,000l. In stating the enormity of this sum, the House would agree, that the subject was worthy the attention of parliament. This sum was greater than that of last year, and infinitely greater than the average of 1791, 1792, and 1793. The estimate for 1803 and 1804, including all extraordinaries, was 160,000l.; so that the present was now more than double. He did not find fault with the Chancellor of the Exchequer. The right hon. gentleman, he admitted, only followed the steps of his predecessors. Neither did he find the least fault with the diplomatic persons themselves; but such a gross disproportion between the exigencies of the service and the expenditure, called for the attention of parliament. He knew that the Chancellor of the Exchequer would say, "I will explain every item;" but that was not a very satisfactory mode of proceeding either to the country, to the House, nor to the right hon. gentleman himself: because there were many things which he might have a strong disposition to do, but which it was not by any means requisite should be done. Now, there was the sum of 23,000l. for snuff-boxes, which seemed an unnecessary expense; but it would be placing himself in an unpleasant situation with regard to foreigners, if the right hon. gentleman refused to give them; but if the House refused to furnish the means an excuse was provided for him. The special missions were another source of unnecessary expenditure. The missions of the dukes of Devonshire and Northumberland had produced not only a heavy cost to the country, but an enormous expense to themselves. All that the ministers required of these illustrious
personages was, that they should support in splendor the honour of the country; and no one could carry that support of the country's honour to a higher pitch than they. He did not dispute the sums given and expended on these missions; but he doubted the propriety of such missions at all. Why should it be necessary for one crowned head to send an expensive mission of compliment to another? Many of these items were extremely high. It was utterly incomprehensible to him how such an enormous difference between the estimates for the present and past years which he had stated, could arise. There was no fault in the foreign ministers, who supported in splendor the country's character; but when the circumstances of the country were considered, he thought unnecessary splendor should be dispensed with. The nobleman now at the court of France might represent the king at less than half the expense of a mission, which was eaten up by the Frenchmen dependent upon it. Then the consequence was, that persons of small fortunes were shut out from such missions. The right hon. gentleman then reverted to the circumstances of the country, and repeated that this was a vote of confidence in ministers; and it was impossible for the House to know in whom that confidence was to be reposed. There had been great forbearance displayed upon that point on his side of the House, considering the language which had been used out of doors, and the anxiety of the public to see a termination of the present unsettled state of things. Gentlemen on his side of the House had not only shown a degree of forbearance with regard to this question, which he almost considered to be blameable, but had also abstained from checking a number of votes, which, in the present condition of the country, he conceived ought not to be granted. From the unwillingness of gentlemen on his side of the House to do any thing which could embarrass the government, or impede the passing of the supplies which were necessary to carry on the public service, every thing which government required had been granted, just as if there had been an entire administration. The time, however, was now come, in which it was the duty of the House to show some signs of life. The country expected that it would at length exert its energies, as it was a mere mockery to talk any longer about delicacy and forbearance. No one could be more inclined than he was to evince the utmost liberality towards the noble lord whose unfortunate illness they all deplored; and if any man would get up, and say that there was any chance of the noble lord's recovering from it, so far as to be again competent to the toils of office, he would sit down immediately, and not say another word on the subject. Though he had not the honour of an intimate acquaintance with the noble lord's family and connexions, he believed he was not misinforming the House, when he said that there was no such chance. He was told, that though the noble lord's life might be still spared to his family and friends, it was absurd to hope that he would be restored to any more than his family and friends. He, therefore, considered Lord Liverpool, as a public servant, already extinct; and he had no doubt that, if the noble lord were now asked, whether he wished to remain any longer in office, and were in a condition to give an answer to that question, he would say, "The time is come for my resigning the official situations which I have so long held, and therefore let no delicacy towards me interfere with the demands of the public service." He conceived, that in the present situation of the country, an important question like this depended upon other circumstances than delicacy and forbearance. What was right at one time might be wrong at another; and punctilios, on which individuals might stand with propriety on some occasions, might be quite indefensible on others. It might be inconvenient, nay, it might be indecent, to form a new administration, whilst there was any rational hope of lord Liverpool's recovery; but let the House look at the condition of the country, and say, if it could, that any time ought to be lost before the formation of an efficient administration. Look at the state of the finances. Did the Chancellor of the Exchequer mean to say that the state of the finances was not at present of the most appalling description? It was impossible to doubt that the country was at present bowed down to the earth by a weight of debt, which had many years ago been predicted as the necessary result of our extravagance, though the prediction had unfortunately been addressed to deaf and unbelieving ears. Did any man in his senses doubt, that the scanty hope on
which the country had long subsisted, of extinguishing its debt by the aid of the sinking-fund, was now gone and vanished for ever? Did any man in his senses doubt that the revenue was falling off hour after hour, and that the defalcations in it were of the most alarming extent? He believed that, on that point, there was no longer matter of dispute. He confessed, that to him this was a source of bitter disappointment; for he had not expected that the distress which had been pervading the country would have continued so long. Look at the condition of our trade. It was paralyzed from one end of the country to the other. Ask any banker, and he will tell you that in the city never was such distress known. Look at the condition of our manufacturers, and you will find that those who absolutely make them, the operatives, as it is now the fashion to call them, are ground to the dust, by the privations under which they suffer, and are labouring at such reduced wages as scarcely enable them to keep life and soul together. Look at the state of agriculture. If you are to believe the country gentlemen, who have been pouring their complaints into our ears for weeks past, never was agriculture worse off. You have thus a population, of which a part insists that you are to make no alteration in your Corn-laws, and another complains, that if you do not instantly take measures to lower the price of provisions, they must die in heaps from starvation. Look at the condition of our Foreign Affairs. He could not be expected to be intimately acquainted with the minute details of our political situation with respect to other countries; but he could not help surmising that something interesting was expected, when he saw the large army which we had sent out, and were maintaining in Portugal. He knew and approved of the reasons on account of which it had been sent there. And if he could be sure that the right hon. Secretary for Foreign Affairs would remain in the situation in which he was at present, the confidence which he had reposed in government from the beginning, he should continue to it till the end. [Great cheering from the Opposition.] But how did he know that, in a few days, the aspect of affairs might not be altered by the general confidence of foreign powers being withdrawn from England in consequence of the right hon. Secretary’s being withdrawn from the service of the king of England? We ought to know whether the foreign policy of the country was likely to continue to be directed by his master-mind; or whether it was likely to be transferred to the management of some inferior and subordinate spirit. We wanted a minister who enjoyed confidence at home and consideration abroad. No one at present knew who were ministers, what were their views, or to what point their efforts were directed. How strange the rumours were which prevailed in England, on those points every man knew; but how much more strange, how much more wild and extravagant they were abroad, no one could imagine who had not heard them. Look also to the state of Ireland. Who is to govern Ireland, or is Ireland to be governed at all? He did not wish to provoke any discussion, either regarding our foreign policy, or regarding that which was commonly called the Catholic question. He did not wish to advance any thing for purposes of mere party; the only point at which he was labouring was, that some intelligible measures should be devised for the general good of the whole community, and that the whole community should not be left, as it was at present, in a most unprofitable state of suspense and uncertainty. He did not even pretend to blame ministers for not bringing the negotiations—if negotiations had been commenced on this subject—to a close. He had been accustomed, from the language of the constitution, to consider that the supreme arrangement of these matters rested with the king, and that no one was responsible for the formation of a ministry, though every minister was responsible after its formation, for the acts which he might recommend his majesty to sanction. Now, if it were the duty of the present advisers of the king to recommend him to form a new administration, and if they were anxious to form such an administration, surely it was an excuse for the House of Commons to be anxious to see that administration when it was formed. If it were so difficult, as was now represented, to find a first minister of state, surely, it would be a shame to the House of Commons not to be anxious to know who that minister was. It was undoubtedly the privilege of his majesty to choose his own ministers; but then it was no less undoubtedly the privilege of the House of Commons to stop the supplies, until the royal prerogative was exerci-
ripped, and the House was made acquainted with the person to whom the disposal of those supplies was to be intrusted [hear, hear]. In the observations he had just made he had no intention to censure ministers. If he had said anything in the warmth of debate which cast aspersion upon himself in the mildest manner, and without exciting any political feeling or irritation. He thought that no one could with justice blame gentlemen on his side of the House for want of forbearance or delicacy. All that he and they now asked for was this—that the king or somebody for him, should take the necessary steps to give the country an administration. For himself he had determined not to part with any farthing of the public money until an administration was formed. It was fine talking to say that the House ought to regard measures, not men; but though it was fine talking it was still not a whit the less nonsense [hear]. It would not do for ministers to say, "So much is wanted for the army, so much for the navy, and so much for the other departments of the State." Something more was wanted. It was necessary that the House should know who was to command its army, who was to direct its navy, and who was to be at the head of the other departments. It was right that when public affairs were in the miserable state of incertitude in which the affairs of this great empire now unfortunately were, the representatives of the people should keep in their hands the means of making the fitting appropriations for the service of the commonwealth. It was his bounden duty, as a member of the House of Commons, to prevent the House from being sent about its business when all the grants were gone through, without knowing to whom the administration was to be intrusted, until the time of its next meeting; and the best mode of preventing that result appeared to him to be the withholding of the supplies. The present was a moment at which the greatest anxiety prevailed among all ranks and conditions of men, to see a decided order of things once more established in the country. He wanted, he repeated, no discussion about the propriety of this or that political arrangement; and having said so, he trusted he might be permitted to add, that if ever there was a moment of great public anxiety in the history of this country—if ever there was a time in which there was great distrust in the wisdom of their governors felt by all who entertained sober and discreet views among the governed—if ever there was a period when it was absolutely necessary that the public confidence should repose somewhere—the present was that period; and the only chance which the country bad of being rescued from the difficulties which surrounded it, was in having its distrust dispelled, and its confidence re-invigorated. That which the country had for weeks been wanting, was a strong, an efficient, and a united administration; and if such an administration were not speedily formed, its difficulties would soon gain such a head that it would not be within the power of man to overcome and remove them. What he meant by the words "united Administration" he would not at present define, because he had no intention to provoke a discussion upon any dubious or controverted points. He used the words in their ordinary acceptance, and in no other; and he thought that the good of the country could only be consulted by setting over it an administration, endowed with that combination of integrity and talent, which would enable it at once to preserve the respects of foreign powers, the confidence of its own sovereign, and, above all, the grateful attachment of the people intrusted to its care. Give the country such an administration, and there was no danger which we might not hope to overcome; leave us without it, and the difficulties of our situation would become more appalling than ever, and we should exhaust ourselves at last in vain efforts to subdue them. He should say no more, lest he should provoke that discussion which he was anxious to avoid, but should conclude by moving, "that the further consideration of this report be deferred till the 1st of May."

Mr. Secretary Canning then addressed the House; but in a tone of voice so indistinct, as to be only partially heard in the gallery. However, he said, he might differ from the motion which the right hon. gentleman had just submitted to the House, he still agreed in one proposition, which the right hon. gentleman had laid down in the course of his speech; namely, that the government had no reason to complain, either of the House in general,
or of the right hon. gentleman in particular, or of any of the hon. gentlemen who sat near him, on account of any want of courtesy or forbearance, shown towards it during the crisis which had occurred since the commencement of the lamentable illness of his noble friend. Neither did he differ from the right hon. gentleman when he stated, that from the force of circumstances, and from the lapse of time, it was necessary that those considerations which had induced them to act with so much courtesy and forbearance up to the present moment, must now cease to have the slightest influence on their future conduct. He trusted that the right hon. gentleman opposite would admit, on this occasion that it was difficult for those who had long acted in concert with the noble lord whose illness they all in common deplored, who had enjoyed the happiness of a nearer and more intimate view of those great talents and acknowledged virtues to which the right hon. gentleman had paid so handsome and yet so just a tribute, and who were further bound to that noble lord by the ties of ancient and long-continued friendship—he trusted, he said, that the right hon. gentleman would admit that it was difficult for persons in their situation to bring themselves to believe that all hopes of the noble lord’s recovery were entirely and utterly at an end. He trusted, moreover that the right hon. gentleman whatever might have been the inconvenience which undoubtedly had been experienced, and whatever might be the impatience, which he admitted was growing in the public mind, for the conclusion of the present unsettled state of things, would still admit that ministers, if they had sinned, had sinned on the right side, and that nothing could have been more disgraceful to them or more painful to lord Liverpool, than for that nobleman to have found, upon waking from his present trance, that his place in the cabinet had been sought to be filled up with intemperate haste and with precipitate ambition. It was, he admitted, difficult to define the precise limit and the exact period to which such considerations ought to be extended; but he could assure the House, that ministers had not suffered the time to pass away, without attaching to them due importance. He said most distinctly, that for the delay which had already taken place, ministers were ready to take as much responsibility as for any other act of their administration; and when he made use of his majesty’s name, and alluded to the forbearance which had been shown, in compliance with the royal feelings, he did not do so with any view of throwing upon his majesty the slightest portion of that responsibility which attached to himself individually, and to the whole administration collectively. That delay, he could now inform the House, was at an end [hear, hear]. His majesty had desired a communication to be made to lord Liverpool’s most immediate connexions, that the time was at length come, at which, with whatever pain it might be attended, he must, in compliance with the claims of public duty, proceed to fill up the chasm occasioned by the loss of the noble earl’s services; and sure he was, that it would be a satisfaction to the House to hear, as it had been to ministers who had recommended his majesty so to act, and to his majesty who had acted upon their recommendation, that lord Liverpool—and he did not mean to make any statement as to the precise condition of his noble friend’s health—had sufficient consciousness to understand that his feelings and situation had been equally respected by the sovereign and by his colleagues in office, and that it had been a great consolation to him to know that they had been so respected. Under these circumstances, he hoped that the House would not feel itself called upon to affix to the administration the last stigma which its last power could inflict—he meant a vote equal to the stoppage of the ordinary supplies—unless it either traced, or suspected, in the course which ministers had pursued, other motives than those which appeared on the face of their conduct. When this dreadful calamity had befallen the country, one great measure had been prepared, and was ready to be brought under the consideration of parliament, which had been looked for with extraordinary impatience and expectation. He meant the consideration of the Corn-laws. Would it have been wise, supposing it had been delicate, which he thought the right hon. gentleman would agree with him that it would not have been—would it have been wise, he asked, in ministers to postpone the consideration of that measure until a new government was formed, having, as they fortunately had, not only the advantage of the noble
part of the foreign expenditure, over which alone he could exercise any control, he had made a diminution, during the last year, of ten per cent upon the whole. The present, however, was not a fit opportunity for entering upon such a discussion; any more, it would be unfeeling and ungracious to go into details, considering the difficulties in which ministers were placed, and the feeling which the House had manifested towards his suffering friend and colleague, lord Liverpool. He based his opposition to the motion of the right hon. gentleman upon this ground, that though it was a painful discretion which ministers had to exercise, yet between the two alternatives offered to their choice,—the danger on the one hand of proceeding with precipitation, and the danger on the other, which had absolutely occurred, of acceding to too long a delay—ministers had chosen that course which was not only right in itself, but also most creditable to themselves, as well individually as collectively. He did not mean to assert that inconvenience had not arisen from the course which had been pursued; but he did mean to assert, that the inconvenience was not such as deserved to be visited by a vote, which would inflict the severest censure which the House could give, which struck at the existence of the ministry, and amounted to a withdrawal of all confidence from it. [cries of "No, no."] On the other side, he thought it right to state to the House, that by acceding to the motion of his right hon. friend, the chancellor of the Exchequer, it would only enable him to proceed with the public service, while the necessary arrangements were making for the formation of a new administration, and would not preclude itself from instituting a rigorous inquiry into the propriety of these grants, whenever it came to the consideration of the votes on which these sums were now asked on account. When that period arrived, he should be prepared to meet the right hon. gentleman in discussion, and to defend all the votes which belonged to his department of the public service. So would his right hon. friends near him be prepared to act in regard to the different departments with which they were connected; and so would all the members of government, each in their respective stations. Under these circumstances, he could not think that even the right hon. gentleman himself would persist in pressing his motion. The delay, of which he
complained, was now at an end [hear, hear.] In repeating that assertion, he did not mean to blame the right hon. gentleman for alluding to the delay. On the contrary, he thanked him for giving government an opportunity of explaining itself upon the subject; and of repeating, as he did once more, that whatever inconvenience the delay might have produced, it was now at an end. He trusted, that as the object of the right hon. gentleman’s address must be answered by the declaration which he had just made, he would not object to the bringing up of the report on the present occasion.

Mr. Tierney said, that the right hon. Secretary misunderstood the object of his motion, if he supposed that it was to pass a censure upon the administration. The motion of the right hon. gentleman opposite was a motion which, if granted, must be granted on confidence; and there could be no confidence until it was known in whom confidence was to be placed. He could not see in what the difficulty of acceding to his proposition consisted. He was happy to hear from the right hon. Secretary, that we were at last upon the road to a new administration. He was happy to have gained that piece of information. He supposed that it was to accompany the necessity of persevering in his amendment. He was told that the formation of a new administration was in a train of proceeding; but he was left entirely in the dark as to the rate, whether quick or slow, of that proceeding. He repeated, that until an administration was formed in which the House could put confidence, it ought not to vote one farthing away on confidence. He should, therefore, press his amendment.

Mr. Whistmore concurred with the right hon. gentleman who had just sat down, that not the slightest pledge had been given to the House, by the right hon. Secretary, as to the time within which a new administration was to be formed. Now, considering the alarming situation of the country, and the delay which had occurred already, he thought the House would not discharge its duty to that country, if it did not concur in the proposition laid down by the right hon. gentleman near him, and if it did not express by its vote, that the time was at length come when it was incumbent that some progress should be made in forming a strong, an efficient, and a united, administration. Such was the feeling of the whole country. He had never yet spoken to any man out of the House, who did not view with alarm the present grant was objectionable on many grounds; but, in order that he might not be accused of acting in a spirit of hostility to government, he would wave his objections to it, on the understanding that the announcement of a new administration should be made before the holidays.

Mr. Canning said, that he must refuse to give any such pledge as the right hon. gentleman wished to extract from him. Mr. Tierney said, he felt himself placed in a very awkward situation, in consequence of what had just fallen from the right hon. Secretary. The House was now informed, that the formation of a new administration was at present inconsideration; but the communication of that necessary piece of information came to it unaccompanied by any pledge, as to the time in which that formation would be completed. The government of the country was, therefore, still to be left in a state of abeyance. His object in proposing an amendment to the original resolution, was to prevent any further grant of money from being made to the government, until it was known in whose hands the government was placed. He was driven, by the course pursued by the other side, to the necessity of persevering in his amendment. He was told that the formation of a new administration was in a train of proceeding; but he was left entirely in the dark as to the rate, whether quick or slow, of that proceeding. He repeated, that until an administration was formed in which the House could put confidence, it ought not to vote one farthing away on confidence. He should, therefore, press his amendment.
the unsettled state of the administration, and think that it was the duty of parliament, before it adjourned, to take every constitutional means in its power to discover whether any and what measures were in progress, to advance the formation of a new administration. If the right hon. gentleman pressed his motion, he should certainly give it his support.

The Chanceller of the Exchequer said, he concurred with the hon. member for Bridgenorth, and also with the right hon. member for Knaresborough, in thinking that the time had at length arrived, at which was the duty of the constitutional advisers of the Crown to state to his majesty, that the public exigency required the formation of a new administration. That assurance had already been given to the House by his right hon. friend, the foreign Secretary, and he fully concurred in the propriety of making it public. He must be permitted, in that stage of the discussion, to recall to the recollection of the right hon. gentleman opposite, who said that the House ought to accede to no money-vote until an administration was formed in which it could place confidence, that in moving for this grant on account of the rights of infants, married females, and persons who, from being beyond the seas, or from other causes, might be supposed to labour under temporary disability, as to the prosecution of their claims. This was only following the spirit of the statute upon which the law was founded—the act of Henry the 8th, which contained clauses for securing the rights of individuals so circumstanced, beyond the ordinary regulations of the law, and was entitled "The Statute of Limitations, with a proviso." It had been deemed necessary to adopt this precaution, even though the time allowed for prosecuting claims extended to sixty years.

The Solicitor-General said, that he intended to propose a clause in the bill, by way of guard to the rights of infants, married females, and persons who, from being beyond the seas, or from other causes, might be supposed to labour under temporary disability, as to the prosecution of their claims. This was only following the spirit of the statute upon which the law was founded—the act of Henry the 8th, which contained clauses for securing the rights of individuals so circumstanced, beyond the ordinary regulations of the law, and was entitled "The Statute of Limitations, with a proviso." It had been deemed necessary to adopt this precaution, even though the time allowed for prosecuting claims extended to sixty years.

The Attorney-General said that the bill required licking into shape, before it was possible to discuss it. For himself, he deprecated any rash or hasty interference with those laws which governed the whole landed property of the country.

Mr. Ferguson intimated, that the bill must undergo great alterations before he should be able to give his support to it. He did not think thirty years was sufficient time; he could not consent.
with them. He meant the occupiers and cultivators of land, and the various persons who were employed and paid by them. By foreign countries in general, and by France in particular, a system of direct exclusion was practised towards us. When that was the case, why should we display such extreme liberality towards them? It behoved the House to be cautious before they set aside the system of protection which had been so advantageous to the country. Much had been said in that House about keeping faith with the public creditor. Now, he thought that the agriculturists had a right to expect that faith should be kept with them. They were entitled to that degree of protection which was absolutely necessary in the present state of taxation. If the House would only consider the burthens which the landed interest had borne during the war, and the unshaken loyalty which they had always displayed, he was sure that they would not consent to destroy the main prop and security of government. It was necessary also to remind the House of the probability of the bill experiencing, in another place, a resistance which could not be overcome. He believed, too, that a difference of opinion existed in the Cabinet with respect to the measure, and that if some of the ministers were to express their real sentiments, they would describe it as one that was vicious in principle. He called upon the landed interest to think for themselves upon this question—to consider the manner in which it would affect, not only their own interests, but likewise those of other classes of the community, whose welfare was inseparably connected with their own. He hoped they would not allow themselves to be induced to give their support to the measure by any specious arguments which might be advanced in its favour. He concluded by moving as an amendment, that the bill be read a second time this day six months.

Mr. Curtis seconded the amendment. He said, that the objections of the agriculturists to the bill were acquiring additional force every day, and he was sure that a storm was gathering in another place which would annihilate it. On all sides the agriculturists complained that the bill afforded them no adequate protection. The bill of 1822 had been condemned unheard as it were, for it had never come into operation. The new measure, he thought, arose out of the doctrines of the political economists, which were of a very dangerous tendency. There was nothing whatever which those men touched that they did not destroy. Whatever might be proposed by them, he was determined constantly to oppose. The bill before the House would have the effect of overthrowing the aristocracy, and through them the liberties of the country; and would once more inevitably compel us to revert to a paper currency.

Mr. C. Grant said, that the hon. member who had just addressed the House carried his apprehension of the mischiefs likely to result from the bill even further than the hon. baronet himself; for he had added to the long catalogue of evils mentioned by the latter, the destruction of the aristocracy and the liberties of the country. However, notwithstanding all the fatal prognostics of the hon. members, he trusted that the House would not consider it presumptuous in him to oppose the amendment. He agreed with the hon. baronet, that the question which the measure involved was one affecting the dearest interests of the country; and he joined with him in the appeal which he had made to the House, to decide upon it with reference to its own merits alone, and not under the influence of party, or other considerations. He made this appeal in the full confidence; that the good sense of the House would answer it. In approaching a change of law on this subject; namely, the trade in corn, there was one circumstance which afforded him some gratification—there was no necessity for combating ancient prejudices which always hung round the old law of the country. The act which it was proposed to change had been in existence only eleven years, and therefore the House was at liberty to deal with it on its own merits, without running the risk of shocking any old English feelings in its favour. The hon. baronet had asked, why it was wished to change the existing law? His answer to that question was this—because the existing law was, in his humble opinion, erroneous, and had, moreover, failed, grossly failed, in practice. What were the objects of the existing law? What did it profess to effect? From the reports of committees of the House, at the period when it was framed—from the debates in parliament—and from general impression on the subject—he was justified in saying, that it was proposed to effect three objects, by the existing law; namely, uniformity of
danger to the landed interests of this great empire, he was impelled, by a strong sense of duty, to express his sentiments fully on this occasion. He hoped that gentlemen, in considering this question, would not carry along with them the impression which the right hon. Secretary for Foreign Affairs had, by the magic power of his eloquence, created, when he introduced it; but that they would look at it in its plain and simple form. He had recently been informed, that the noble lord, who, but for his lamented illness, was to have brought the subject forward elsewhere, meant to have introduced it as a measure of government, and not as one which met his own particular views and feelings. Now, he contended, that they were proceeding without due information; and it was notorious that, in another place, an additional inquiry had been called for, and had also been conceded. In his opinion, it would be wise and expedient if that House also appointed a committee, to inquire further into the subject, instead of legislating in this precipitate manner. He had made that observation before; and he had said, that if he met with the support to which he thought he was entitled, he would make a motion for a committee. But the House did not concur with him in opinion; and therefore he had made no such motion. The present measure was taken up on grounds that could not be supported, either by experience or by sound argument; and they were now about to legislate, with reference to a most important question, on very deficient and unsatisfactory evidence. He, therefore, would proceed to oppose this bill upon principle. If he were asked to describe it, he would say, that it was a bill for the more effectual encouragement of speculation in the corn trade—a bill for the more rapid diminution of the growth of grain in Great Britain—and a bill for the better encouragement of the growth of grain in other countries, for the supply of the British market. Therefore it was, that he rose in his place to oppose the bill, on principle. This measure was founded on the prevailing love of free trade; but in introducing it, gentlemen ought to have furnished some examples, to show that other countries had, at any time, adopted a similar system. He found, instead of a general law on the subject, that it had been constantly left in the hands of the ruling power in other countries, either to admit or prevent the importation of grain, according to existing circumstances. He denied that this bill afforded a just protection to the agriculture of Great Britain. So far from that being the case, it would have the effect of keeping the price of corn between 50s. and 55s. The bills of 1815 and 1822 gave, in reality, no higher a protecting price than 60s.; and it was impossible that this bill could afford a similar protection. It was quite evident, that if a surplus of corn were sent here, it would displace a corresponding portion of English grain. That part of the empire, Ireland, had, since the Union, and particularly during the last seven or eight years, gone on progressively increasing in the production of grain. Now, he would ask, could the House do a wiser or more beneficial thing, than to encourage the industry of Ireland, and to increase the wealth of that country? Was it not important that they should keep her in the condition (as an agricultural country) in which they found her, and not, by such a measure as this, place her in a worse situation? This point alone showed that they could not legislate safely, if, by that legislation, they interfered with the natural produce and industry of Ireland. Now, in his opinion, they ran the risk by adopting this measure, of interfering most mischievously with the industry of Ireland; because it was a temptation to all the other parts of the world to send their surplus here—the temptation which they could not resist, and which would effectually glut the market. He knew it was said, that probably not more than a million of quarters would be imported annually, and that that was a mere trifle. It was very true that a million of quarters, compared with the fifty millions annually consumed, was but a trifling amount; but it was not a trifle if it displaced the labour of a number of men. He denied wholly and distinctly, the statement which had been made in that House; namely, that, under the existing laws, the people of this country paid a tax of 25,000,000l. on account of the landed interest. It was asserted, that the people were improperly charged 10s. a quarter on fifty millions of quarters; that they were saddled with the sum of 25,000,000l., which was collected from the consumers of corn, and put into the pockets of the landowners. Now, it did not go into the pockets of the landowners, but was distributed amongst all those who co-operated
with them. He meant the occupiers and cultivators of land, and the various persons who were employed and paid by them. By foreign countries in general, and by France in particular, a system of direct exclusion was practised towards us. When that was the case, why should we display such extreme liberality towards them? It behoved the House to be cautious before they set aside the system of protection which had been so advantageous to the country. Much had been said in that House about keeping faith with the public creditor. Now, he thought that the agriculturists had a right to expect that faith should be kept with them. They were entitled to that degree of protection which was absolutely necessary in the present state of taxation. If the House would only consider the burthens and the landed interest had borne during the war, and the unshaken loyalty which they had always displayed, he was sure that they would not consent to destroy the main prop and security of government. It was necessary also to remind the House of the probability of this bill experiencing, in another place, a resistance which could not be overcome. He believed, too, that a difference of opinion existed in the Cabinet with respect to the measure, and that if some of the ministers were to express their real sentiments, they would describe it as one that was vicious in principle. He called upon the landed interest to think for themselves upon this question—to consider the manner in which it would affect, not only their own interests, but likewise those of other classes of the community, whose welfare was inseparably connected with their own. He hoped they would not allow themselves to be induced to give their support to the measure by any specious arguments which might be advanced in its favour. He concluded by moving as an amendment, that the bill be read a second time this day six months.

Mr. Curteis seconded the amendment. He said, that the objections of the agriculturists to the bill were acquiring additional force every day, and he was sure that a storm was gathering in another place which would annihilate it. On all sides the agriculturists complained that the bill afforded them no adequate protection. The bill of 1822 had been condemned unheard as it were, for it had never come into operation. The new measure, he thought, arose out of the doctrines of the political economists, which were of a very dangerous tendency. There was nothing whatever which those men touched that they did not destroy. Whatever might be proposed by them, he was determined constantly to oppose. The bill before the House would have the effect of overthrowing the aristocracy, and through them the liberties of the country; and would once more inevitably compel us to revert to a paper currency.

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price, protection to the farmer, and independence of foreign supply. Had the law answered any one of those purposes? It was notorious that it had not. To show that it had failed completely to produce steadiness of price, it was only necessary to refer to a statement before the House. It appeared from this document, that in June, 1817, the price of wheat was 92s.; whilst in September of the same year it was only 74s. In April, 1818, the price was 91s., and in August of the same year it was 78s. The right hon. gentleman stated other instances of variation in price quite as striking as those above-mentioned, in every year down to 1826. He also stated, that the variations in price with respect to oats and barley during the same period, were not less remarkable than those which had occurred as to the article of wheat. With respect to the protection to be afforded by the farmer, he had the showing of the agriculturists themselves as to what had been the effect of the existing law. Before the committee of 1821, they had one and all declared, that the act of 1815 had produced nothing but distress. This was the language of the most eminent agriculturists before the committee. Amongst others, Mr. Webb Hall and Mr. Wakefield said, that the act of 1815 had produced no good, and that they had not expected any from it. What had been the case since 1822? On this point he would again appeal to the evidence of the agriculturists. From the general statements contained in periodical publications which were understood to be under the influence of the landed interest, it appeared, that the depression under which that body laboured in 1821 had continued to a certain degree up to the present period. Now, how did the case stand with respect to independence of foreign supply, which he remembered was the main point urged in discussing the bill of 1815? The amount of foreign wheat imported in 1817 was two million three hundred and twenty-five thousand quarters; being only one hundred thousand quarters less than were imported during 1801 and 1802, which were years of great scarcity. In the same year, 1817, seven hundred thousand quarters of barley were imported, although barley was an article very rarely imported; and the amount of oats imported in 1817 was nine hundred thousand quarters; which was more than had been imported at any previous period. Had we been independent of foreign supply since 1822? Certainly not. It was necessary for him to remind the House, that the legislature had been obliged to interpose to allow of the importation of foreign grain. A declaration had been put forth by certain delegates of the agriculturists, in which the question was asked, "Why did the agriculturists support a law which it was admitted had afforded them no protection?" The answer given to this inquiry was, that circumstances had occurred to obstruct the operation of the law, which were now removed. The circumstances here pointed at, were the opening of communication with the continent on the close of the war, and the change which had taken place with respect to the currency. The answer which he would make to this argument of the agriculturists was, that the existing law was framed in contemplation of those very events. The framers of that law, in attempting to keep the price of corn in this country higher than it was in foreign countries, had proceeded on the erroneous assumption, that we could exclude the world from one great branch of commercial intercourse with impunity—that is, without injury to our commerce, external and internal.—The principles of the present question had been so ably developed before the committee of 1821, that a very few words further on his part would be sufficient. The dangers to which agriculture in this country was exposed were two—a considerable excess of supply, or a considerable deficiency. Now, did the existing law protect the country against those dangers? It did not. In case of a deficiency, the high mark at which the importation price was fixed, and the length of time which elapsed between the periods of striking the averages, exposed both the farmer and the public to the hazard of ruinous speculation and monopoly in the interim; while, in the event of an excess, it was necessary that price should sink far lower than under an unrestricted state of things it need do, before he was in a state to relieve himself by importation. Do as we might, we should never be independent of importation. Up to the year 1770, we had been an exporting country; and yet there was not an instance in which five years had elapsed without an importation. It was better, therefore, that we should adopt such a course as would allow the foreign grower occasion-
ally to contemplate the supply of our market, than be reduced, when the necessity occurred, to meet the advanced price necessarily consequent on our applying to sources not duly prepared to furnish us.—Honorable gentlemen had seemed to entertain considerable apprehension of the effect that an import trade in corn would have upon the exchanges of this country. He denied, that under the law proposed, any danger of that nature was to be apprehended. As our law now stood, he agreed that inconvenience might well arise. When corn came into the country, it must come suddenly and in vast masses; because the time for admitting it was limited. After a short period, the ports probably were again shut. But it would be otherwise when the demand was regular and temperate. There was one way, certainly, in which the currency of the country would be affected by the regulation of the trade in corn. Any monopoly in that article, brought into actual play by a deficiency, must necessarily render an additional quantity of circulating capital necessary to the country. The trade in corn was so enormous, that an addition of 10s. or 15s. a quarter to its price would increase the amount of capital necessary to carry on the trade more than a million sterling. But from a regulated importation of corn from abroad no inconvenience to the exchanges could be apprehended; and he might premise this by reference to the case of Ireland. What inconveniences to the exchanges had arisen from our annual importations from that country? One certain effect of the maintaining a high price in corn was to drive the manufacturer abroad, or to enable the foreigner to undersell him in the home market. We might reduce the wages of the labourer, and bring him from a diet of corn, down to potatoes. It was only to be hoped that we had not made some advances towards that state already: but even that resource must have its termination; and the result must be a total abandonment of manufacture, or a waiver (which was hardly to be expected) of all profit and return upon manufacturing capital. But it could hardly be necessary for him to use any further arguments as to the expediency of a change in the existing law; and he thought that there could be no comparison, in advantage, between a scale of duties, even supposing them to be in some cases prohibitory, and an absolute prohibition. When he was told that corn could not be grown upon the terms proposed, he took leave to doubt that fact a little. A good deal of the calculation was taken upon arbitrary estimate; and besides, the existing state of things disproved the assertion. The average price of corn assumed by the new law was 60s. Now, the fact was, that for the last eight years, the average price had been under 57s. He admitted, that the agricultural interest had been in a state of comparative depression during that time; but he thought that, during the last year or two, it had been rallying. In fact, a strong demand could not be given that agriculture was worth following at the present time, than that capital was invested in it. A great deal of money had lately been laid out in the improvement of under-draining; and the importations of manure were increasing every year. A few examples of this last fact might, perhaps, have some value. In the article of bones, our importation, in the year ending in January 1824, had been to the amount of 14,000l. In the year 1825, it was 44,000l.; in the next year, it increased to 86,000l.; and in the last year it amounted to 95,147l. In another article of manure, woollen rags, our importation, in the year 1824, was three hundred and fifty tons. In the next year, it was three hundred and forty-one tons. In the year 1825, it was six hundred and fifty tons, and in the last year, four hundred and twenty-eight. So, in the article of rags and linseed cake. In the year ending January 1824, we imported one hundred and seventy thousand five hundred cwt’s. In the next year, four hundred and ninety-five thousand seven hundred. In the next year, six hundred and eighty-six thousand nine hundred and sixty-three; and in the last year, five hundred and ninety-seven thousand six hundred.—The right hon. gentleman proceeded to argue, that it by no means followed that the importation of corn from abroad should materially diminish the sales of the home agriculturist; for that the additional spur given to manufacturers would have the effect of increasing the demand. To instance again the case of Ireland: the four hundred thousand quarters of wheat which we annually imported from that country, must necessarily displace so much corn grown in Great Britain; yet it was not found that we sustained any injury; for the stimulus
given to our manufactures had increased our consumption, and with it of course our demand. For the quantity which we might be expected to import under the new law, some idea of that might be formed from the quantity which we had imported. In the twenty years ending in 1815, our total importation had been eleven million of quarters; and of those, three years had been years of scarcity, which had consumed four million quarters out of the eleven million. In barley and oats our importation had been very trifling indeed; and in wheat, which was the main article of consideration, it might fairly be calculated, that our yearly importation would not exceed, upon an average of one year with another, six hundred thousand quarters.—The right hon. gentleman went on to show, by calculations taken from the report, that there was no just ground for apprehension as to the importation of foreign grain. The defect in the arguments of those hon. gentlemen who were hostile to the measure, lay in this. They reasoned as if, with the most grievous depression in the price of grain, the prices of all other commodities, freight, navigation, and all other charges, would remain the same: they supposed two things which were incompatible—a stagnant market, and high prices. But an infallible result of low prices of grain would be that of affecting the prices of all other commodities. Mr. Jacob had shown several instances of the effect of a demand in raising prices abroad; and they were such as ought to allay all apprehension of the evils so much dreaded, by the agricultural gentry, from that frightful part of the world, the Black Sea, that source of the phantoms which seemed so greatly to bewilder the whole of the landed interest. Mr. Jacob's evidence had stormed that fortress, by proving that corn, at one time with another, could not leave Odessa, unless the price it produces rises to 60s., since it cannot be delivered in England at less than 44s., independent of the duty, whatever that may be. The latest price at Danzig was 29s., and it had been calculated by a person skilled in affairs of that kind, that wheat bought there at that price could not be sold in England under 44s., independently of the duty. With respect to America, the latest quotations from New York made the price at which American wheat could be imported into this country 34s., independently of the duty. He could multiply instances of this kind; but he thought he had said sufficient to show that foreign grain could not be imported into this country, in such quantities, and at such rates, as injuriously to interfere with our agriculture. It might be observed that all the evidence given before the committees of both Houses of Parliament confirmed the statement he had made. With respect to Mr. Jacob's report, though he did not hold himself answerable for its statements, he thought it but justice to that gentleman to say, that notwithstanding the length of time since it had been before the public, its correctness had not been impeached. Some minor points had been said to be incorrect; but, upon the whole, it had gained the credit it had deserved. He could not but think that one of the worst evils of the existing law, was its tendency to excite the hostility of the manufacturing against the agricultural interests. He had therefore hoped, that the gentlemen connected with the agricultural interest would have willingly acceded to its passing, a law, which would have the effect of allaying the irritated feelings existing between those two great interests. Such being the object of the bill, if the gentlemen of the landed interest consented to its passing, it would remove at once every trace of the feelings of animosity to which he had alluded. He believed that, in general, the country was satisfied with this bill. At least, so far satisfied with it, as not to be inclined to shew any popular feeling on one side or the other. He entreated, then, that it might pass—that the painful, and, he might say, angry, complaints of the manufacturing against the landed interest might be stayed. He implored those gentlemen to pause before they let this opportunity pass them, as he could conceive a state of distress which would produce effects that might bring this question before them in a very different shape. Under such circumstances, it would be no longer at their option whether corn should be admitted at 60s. A starving population would listen to no terms. He deprecated nothing more than the overthrow of this measure by the landed aristocracy. When he looked at the growing intelligence of the people, the power of the public press, and the real justice of the question, he was much mistaken if it was not brought before them under a far different aspect, if it was not now settled. It was upon these grounds that he entreated the
gentleman of the landed interest to consider before they opposed this measure; and upon these grounds it was, that he entreated the House to vote with him against the amendment.

Mr. Western wished to offer some observations upon what had fallen from the right hon. gentleman; but, as he was conscious of his inability to reply to him with the same force and effect, he entreated the indulgence of the House. The right hon. gentleman had anticipated that this bill, if passed into a law, would have the effect of extinguishing the animosity which existed between the two great interests; but he could not concur with him that the bill would have any such effect. He had thought that the common sense of the people of this country, of the manufacturing interest, would have been satisfied with the effect of the law of 1815. Had not his majesty's ministers, and the honourable gentlemen around him, from time to time, indulged in invective against the operation of that law, the people would not have thought of complaining of it. It was not that law, but very different causes, which had produced the pressure of distress which they had lately experienced. Had not the people been misled, their common sense would have told them, that corn had been sold at as low a price as it could by possibility be afforded. They would have seen that the distress of the farmer had been, and is, equal, if not greater, than that of the manufacturer.

It was the notions of theoretic improvement which had been instilled into the people by the honourable gentlemen around him, which had made the people dissatisfied with the act of 1815. But their distresses, and the variations in the price of corn, were to be attributed to a very different cause. He did not mean to enter at length into the question of the currency; but it was his opinion, that the act of 1819, restoring the gold currency, was the origin of the fluctuations in the price of corn which followed. In fact, it was the value of money which fluctuated, not the price of corn. This was a fact which could not be denied. He asked, why had the right hon. gentleman left such a fact out of the question? It was in contemplation in 1814 and 1815 to pass the bill of 1819 in 1816, and in consequence of the preparations made for that purpose, and the subsequent postponement of the measure, a great fluctuation ensued in the price of corn, which they must all remember. Let them compare the price of 1824, 1825, and 1826, with that of 1822, and consider the cause of it. Did not lord Londonderry, in the House of Commons, and lord Liverpool, in the House of Lords, declare that the financial measures then taking were not in consequence of a want of money for the service of the state; but simply to enlarge the circulation? The circulation was accordingly enlarged, and the prices of 1824, 1825, and 1826, were owing to that cause. All this the right hon. gentleman had put out of consideration. He would put it to the House to say, whether it was fair to impute the fluctuations in the price of corn to the act of 1815? No; the fair way would have been, to see what were the fluctuations where a different system of Corn-laws prevailed, and to have compared them with the fluctuations that had taken place in this country. If the right hon. gentleman could have made it out, that there was a free trade in corn, the price had been comparatively steady, he would, in that case, have made great point. But if that investigation should prove, that the fluctuations were less in this country than in other places, the converse of the right hon. gentleman's proposition would be necessarily established. Let the House, then, look at the facts. He would first refer to the great emporium of a free trade in corn—the port of Hamburg. He would take the highest and lowest prices as stated by Mr. Jacob, in the months of March and September. In March, 1817, the lowest price of wheat was 62s. 3d.; the highest 81s. 9d. The average price of that year was 72s. In 1820, the average had come down to 36s.; and, in 1821, to 26s. 4d. The average of the last six years, ending with 1825, at Hamburg, was 23s. 5d. In March, 1825, it was reduced to 20s. 9d.; and, in the September of that year, to 19s. 1d. In 1817, the lowest price of barley at Hamburg was 33s. 6d.; the highest, 36s. 8d.; the average 35s. 1d. In 1825, the average price of that sort of corn had sunk to 10s. 8d. The average of the last five or six years was 11s. He would next refer to the prices at the free town of Cracow. In 1817, the average price of wheat was 57s. 10d. The price had since been as low as 12s. 9d.; and the average of the last five or six years was 19s. 3d. At Berlin, the fluctuations had varied from
73d., the highest price, to 92d., which was the lowest. In the Dantzic market, the highest price of wheat, in 1817, was 84d.; and the average of the two last years, 24d.

The conclusion he drew from these statements was, that where a free trade in corn existed, the difference of prices had been quadruple; while, in this country, under the prohibitory system, it had not been double, setting aside altogether the question of currency. The hon. gentleman said, that his objection to this new Corn-bill was, that it extended to corn that principle of free trade which had been so unfortunatley applied to other articles.

After a deliberate consideration of the subject, he apprehended that the most fatal consequences would ensue, if the British market was at all times, at some price or other, open to the competition of the whole world. He besought the House to look at the prospective effects of this measure; not at those which had resulted from an entirely different system. If the new system were pursued, namely, that of free trade, subject to a varying duty, the corn trade would be carried to an extent which could not at present be foreseen. No man could, beforehand, calculate on the effects that would follow the excitement produced by throwing open the British market; which was well known to be the most beneficial market in the world.

The British market was not only now the highest priced in Europe, but would continue so, until Great Britain was reduced to the same state of poverty and wretchedness that characterized the other corn-growing countries. What a tempting market was this for speculation; not merely always open, but opening at all times, with the additional bonus of the hoarding system! No inducement could be stronger to the speculator; no enterprise more enticing. The immense mass of British capital would find its way to this employment, and be continually absorbed in it. The hon. gentlemen who supported this bill contended that it was necessary, in order to keep capital in the country. He thought, however, that a more certain method of driving it away could not be devised than this measure, which held out so high a premium to transplant British capital, for the cultivation of foreign lands, as it had already, under the operation of the same principles, been applied to the building and navigating of ships in the Baltic. These principles of free trade had distinctly a tendency to increase the means of other countries. The House would see, by the official returns, how exactly in proportion to the increased importation of foreign corn the amount of foreign tonnage had also increased. From 1815 to 1819, the number of foreign ships had increased from three thousand to nearly six thousand, in consequence of the proportionate importation of foreign corn. The right hon. gentlemen had argued, that, from the experience of the past, there was no reason to apprehend any great increase in the importation of foreign corn into this country. If that were the fact, what was the good of the measure? Was it not the object of those who urged it forward, to have cheaper corn from foreign countries, that those countries might be able to take our manufactures in exchange? If foreign corn did not come in, that object would be defeated. But their object was to diminish the price of British corn at any rate. He would admit it to be a legitimate one, if the price of corn in this country were higher than was sufficient to give a profit to capital employed in agriculture, equal to that employed in any other pursuit. It was his firm conviction, taking the average of any number of years to which gentlemen might be disposed to refer, that capital employed in agriculture had not yielded a return equal to what capital employed in trade or manufacture would be found to have done. Capital vested in the purchase of land had yielded about three per cent; and capital vested in the cultivation of land had occasionally returned from seven to ten per cent. Taking these returns as fair average returns, they were not at all equal to the average returns of capital embarked in trade during the same period. If parliament should permit the importation of foreign corn, in the manner and to the extent proposed, the consequence would inevitably be, that a great proportion of the capital vested in land, and in the cultivation of land, would be withdrawn, and the market for agricultural labour be proportionably diminished. In the discussions upon this subject, a great many facts had been broadly assumed, which were not founded on truth. Thus it was said, that the effect of the high war-prices had been, to bring into cultivation large tracts of poor land; and that the necessity of allowing lands which would not pay, to go out of cultivation,
was one of the main causes of those ineradicable evils which the agricultural interest were at present apprehending. But, in reality, although some such poor lands might have been brought under culture, the effect of the war prices had been also, to bring into cultivation an amazing extent of the most productive lands, which had been previously totally neglected. Another effect of the same powerful stimulus had been, to introduce a better system of agriculture into the kingdom. He could prove, that, in numberless instances, land, which a hundred years since was deemed incapable of growing wheat at all, had, within these few years past, yielded abundant crops of the best quality. The truth was this, that that land which had been most highly thought of, and, therefore, most regularly cultivated, was some of the worst land in England. High prices had brought into cultivation some loams, upon which wheat could be absolutely raised, at this day, cheaper than it would have been a century ago. He contended further, that high prices of agricultural produce had exercised a direct effect in increasing the quantity of animal food and woollen clothing—of the subsistence and the clothing of the poor. It was in such respects as these that the theorists proceeded on principles totally false. We had, it was truly stated, a superabundant population; an excess both of our agricultural and manufacturing population; and, at that very moment, an Emigration committee was sitting up stairs. One of the most strenuous disciples of M`Culloch had actually proposed to export one million of our industrious, active, meritorious, and agricultural population, from this country to Canada, at the incredible expense of 100l. a man. At the same time, it was proposed to admit foreign corn. Why, it was clear, that, by admitting foreign corn, parliament was at one and the same time decreasing domestic agricultural labour, and importing foreign agricultural labour to the same amount. The right hon. gentleman opposite had no document upon which dependence could be placed for the average of the prices at which he had assumed foreign corn to be sold. When it was recollected, that the prices under the paper currency and the prices under the restored currency were, in Mr. Jacob's Report, indiscriminately jumbled together, there was in reality no foundation for a fair average. The average price of wheat at Hamburgh for the last five years was 23s. 5d. a quarter; at Danitzck 27s. 4d.; at Berlin 27s. 3d.; at Warsaw and Prague 81s. 5d.; and at Cracow 19s. 1d. The average price at all these places was 23s. 84d. If 30s. duty were added to this average price, it would appear that the foreign grower would stand upon equal terms with the British grower in the English market, when corn was at 55s. He deprecated the passing of the measure before the House. It was at least a doubtful, and in his opinion it was a very dangerous, experiment. Depressed as the agricultural interest was at the present moment, the slightest addition to the pressure might annihilate a great mass of capital, and effect the destruction of a great number of the cultivators of the soil, who had the strongest claims upon the support of their country.

Captain Gordon begged to say a few words upon a question deeply affecting the interests of the agriculturists is the part of the country with which he was connected. After the utmost attention he had been able to give to this question, he thought, without pretending to any knowledge of political economy, that the object of the legislature should be to promote the employment of the labouring classes, so that their wages might be adequate to the means of obtaining the necessaries and comforts of life. At the present moment numbers of the labouring population, particularly of the manufacturing population, were out of employ; and the question was, whether the admission of foreign corn would have the effect of increasing the demand for labour throughout the country? He had heard it stated by high authority, in the year 1815, that this country was then in a condition to grow a sufficient supply for its own consumption. At another time, when the agricultural interest was in a distressed state, he had heard, from the same high authority, that the distress was occasioned by over-production; and now he was told, that it was necessary to apply to the foreign market to assist us. The annual consumption of corn in this country amounted to twelve or thirteen millions of quarters, and if one million quarters were supplied from the foreign market, a quantity of labour equal to the growth of that quantity of corn must be displaced in this country. Now, unless there was a demand for our manufactures sufficient to indemnify us for that displacement, the
effect of the importation of foreign corn would be a diminution of labour throughout the country. The part of the country with which he was connected, laboured under the disadvantages of an ungenial climate, and a comparatively unproductive soil. He was aware it was said, that such land ought never to have been brought into cultivation; but it should be recollected, that the cultivation of such land gave employment to the labouring population of the country. Objecting, as he did, to the details of the bill, and feeling that the principle of it, if carried into full effect, would unquestionably throw a great quantity of the poor lands out of cultivation, he could not give it his unqualified support; and if no other hon. member took up the subject, he felt it his duty to give notice that he would, in the committee, if the bill should reach that stage, move that the prices of grain in the maritime ports of Scotland and Ireland be included in that amount of price from which the averages are to be struck. For the present he would content himself by giving his vote for the amendment.

Mr. R. Palmer of Berkshire, declared himself willing to go the whole way with the right hon. gentleman, as to the opinions he had expressed upon the principle of the law of 1815. Whatever, however, might be his opinion, either on that law or on the system which the bill before the House proposed to establish, he could not forget that he represented a very large class of persons engaged in agricultural pursuits, and that it was their firm belief, that a great part of the poor lands must be thrown out of cultivation by the permission to import foreign corn. Feeling it, therefore, his duty to oppose the bill in its present shape, he trusted he should not be accused of any illiberality to either classes whose interests were supposed to be connected with the question; for it was solely from a conviction of the ruin which must fall upon the agriculturists, that he was induced to adopt that course.

Mr. Whitmore said, that as he had so often delivered his sentiments upon this subject he did not feel himself justified in trespassing long upon the attention of the House. He could not, however, refrain from offering a few observations upon one or two points. It had been said, that the result of this measure would be, to throw lands of inferior quality out of cultivation. No such thing would take place. No such thing had hitherto taken place; although the average prices for the last seven years had been less than those of the preceding ten years. Since the year 1820 the average prices had been 57s. 3d.; and during the ten years preceding 1820 they had been 87s. Now, he would ask whether any land had been thrown out of cultivation during the period of that low price when contrasted with that which preceded it. He had given the subject the utmost consideration in his power, and he was convinced that foreign grain might be imported without in the slightest degree affecting the agriculture of the country, as it at present existed. He would ask the House to recollect that, during the last two years of the seven years to which he had just alluded, there had been admitted into the home market a quantity of corn, which the right hon. gentleman opposite stated to be 817,000, but which he believed to be fully 840,000 quarters; and they ought, also to recollect, that all that quantity was sold, in addition to the produce of the English agriculturists, without producing any effect upon the cultivation of the poor land. It was, indeed, his decided conviction, from a reference to the production of an average number of years, that this country did not produce grain enough for its own consumption, even with the aid of all the poor lands which had been brought into cultivation. Nothing, in his opinion, could be more absurd than the fears which were entertained in this country upon the subject of importing foreign grain. Now, with respect to the low price of corn in foreign markets, he must say, that the calculation of the hon. member for Essex was a complete delusion. He held in his hand a document, from which it appeared, that the prices of corn in Dantzic, on the 1st of last March, were—for the first quality, from 34s. to 36s.; second quality, 31s. to 32s.; third quality, 28s. to 29s. It would be readily admitted that the two first were the only kinds which could find their way to this country. Thirty-six shillings, then, was the price of grain in Dantzic; and to that were to be added what he had not yet heard taken into consideration, the profits which the merchant must have upon his speculation, the interest upon his capital; which, with freight and other charges, he could not think he underrated when he said it must amount to twelve shillings a quarter. The House would,
therefore, see, that even at the present moment, without the duty, corn could not be sold for less than forty-seven shillings; if he said fifty, perhaps it would be nearer the truth. Could it then be said that the agriculturists had any thing to fear? In his opinion, they were alarmed at a bugbear, and spending their time in unnecessary discussions, which were only calculated to create dissentions and cherish animosities between the manufacturers and the agriculturists. The opposition to the bill reminded him most strongly of a similar course of proceeding about seventy years ago, with regard to the attempt to extend the principle of turnpike roads to every part of the kingdom. On that occasion, the counties adjacent to the metropolis presented a petition to parliament, praying that the turnpike-roads, which then only existed in those counties, should not be extended to the distant counties; and stating, that if those roads were so extended, the counties adjacent to the metropolis would be ruined by competition with the distant counties; which would then have increased facilities of conveying their produce to the London market. The apprehensions entertained by those petitioners were perfectly groundless, and he had no doubt, that in the result, the apprehensions now entertained by the agriculturist would prove equally unfounded. He certainly had strong objections to this bill; but as he had no alternative, except between it and the law of 1822, he should support the second reading.

Mr. G. Philips said, he did not approve of the bill before the House, but he should neverthless vote for the second reading, because he thought it an improvement upon the former system of our Corn-laws. He could see no more reason why the legislature should be expected to calculate the expenses of producing corn, and to fix a minimum price for agricultural produce, any more than it should be expected to fix a minimum price for manufactures. He thought the price ought to be left to be settled between the buyer and the seller. The manufacturer had had his day of high prices, and the agriculturist had had his day of high prices; but nothing could be more absurd than to suppose, that a cure for all their distresses was to be found in the high price of corn. High prices of corn always brought high poor-rates. He would take leave to read an extract from the Report of the Commissioners appointed to inquire into the state of the Poor-laws in the year 1822. The commissioners stated, that they could not avoid noting, without comment, that the fluctuations in the poor-rates had kept pace with the fluctuations in the prices of grain, rising with it in the year 1821, falling with it again, and rising afterwards. If high prices of grain, therefore, brought prosperity, how came it, he would ask, that they brought high poor-rates also? The principles of free trade required that some protection should be afforded to those who paid taxes beyond those with whom they were called upon to compete. These were the true principles under which a free trade could be carried on, and under which the prosperity of all could be secured. The only objection which he had to this measure was, that it did not carry the principles of free trade far enough, with regard to the trade in corn. He had, however, no alternative between this bill and the old system, and therefore he should vote for it.

Mr. Wodehouse said, that a small difference in the price of grain was of little consequence to the consumer, but of vast importance to the grower. The trade in corn, too, between Great Britain and foreign countries was ardently desired by foreigners; and he thought there still remained a great deal of doubt and darkness about the price at which foreign grain could be imported. The hon. member entered into a detail of the price of corn in England, from 1816 to 1824, and compared the amount of imports from 1801 to the present time, with a view of depreciating any rash alteration that might be injurious to the interests of the cultivators of the soil.

Sir T. Acland said, he was desirous of explaining to the House the sentiments he entertained upon this difficult and delicate question. He had been taught to believe, and had come to the conviction, that the best market for the English consumer was that of the grower on his own soil. The only difficulty he had ever felt was the quantum of protection to which the agriculturist was entitled. He was unwilling, however, to run the risk of wholly rejecting this bill. By a former vote he had shown, that his opinion was in favour of 64s. per quarter as the price at which the importation of foreign corn should be admitted with little or no duty.
But if the question came to be between 60s. and 64s., he thought it would not be wise to run the hazard of committing irretrievably one of the great interests of the country against another on that question alone. The greatest evil, he believed, was the suffering this question to remain unsettled; and he was extremely unwilling, after the discussions which had taken place, after the arbitration of the government had as it were been awarded, the subject should come to be again agitated in the next session of parliament. If he doubted whether it would be wise for the agriculturist to press for the 64s., against the opinion of the House, it was because that opinion had been expressed in a satisfactory manner, and on repeated occasions. After all that had taken place he was convinced that any resistance to the bill would go to place the agricultural interest in a worse situation than it had been in before. For this reason he found it impossible to concur with the amendment of his hon. friend: but as he was desirous that the bill should be passed in as complete a state as possible he should propose any such alterations in the committee as he thought might be likely to tend to its improvement.

Mr. Bankes thought it was much better for the country to stand by the law of 1822, than to trust to the experiment of the bill now before them. From 1822 to the present time, the price of corn had been remarkably steady; and if the law had not been tampered with, it would have produced a fair remunerating price. The universal prayer of the farmers was, that the House would let them alone. He did not see what security there was in the present experiment; for experiment it was, as no person could tell what would be the operation of the measure at the end of the next twelve months. He would ask, what was the immediate cause of this measure? Was it any apprehension of a sudden rise, or high and injurious prices? It was impossible to observe an invariable steadiness of price. But prices, since 1824, had been more steady than was usual. Indeed it would be found that this week prices were lower than in 1793, and within a shilling of what the averages were from 1790 to 1799. He observed the great agitation upon this subject which existed throughout the country, and he knew that some gentlemen apprehended danger, unless the petitions were granted of those who demanded what could not be reasonably acceded to. He had heard threats as to the House being compelled to adopt this measure, if they did not voluntarily concur in it. Those threats came from a quarter whence he least expected them: but he hoped the House would discharge its duty, regardless of such threats. It was said that the highest duty would amount to a prohibition. If prohibition were meant, let it be said so; for prohibition he could understand. In our artificial state of society, it was impossible to apply those principles which under other circumstances might be perfectly applicable. He conceived that the system of prohibition, to a certain extent, was the safest principle for the country to follow. His majesty's ministers, in framing the resolutions respecting the admission of foreign corn, seemed to act on the principle, that corn in this country should be as cheap as it was elsewhere. Now this he conceived to be perfectly erroneous. If people wanted corn as cheap as it was at Odessa, the only way to effect that object would be to go live at Odessa. There was one maxim which he conceived should govern a nation as well as individuals; he meant that maxim which enforced the necessity of independence. He could not see why a nation should not follow this rule which was so useful to individuals; and he would further say, that the best mode to secure the independence of a country was to encourage the production of its own lands, and to give employment to its own labour. Every other means of enriching a country would be illusive and perishable.

Mr. Portman wished to explain the reason why he should vote for the second reading of this bill. He had heard fears entertained, that great mischief would ensue if the resolutions proposed by ministers were adopted. In those fears he did not participate. He wished for a change in the Corn-laws, because he was persuaded that the system heretofore pursued could not be maintained any longer. He did not like the resolutions of his majesty's ministers; but, objectionable as they were, he preferred them to the existing state of the law. The country considered that the question of the Corn laws was disposed of; therefore, if the House rejected this bill, the country would be placed in considerable alarm. Under these circumstances he gave it his support.
Sir E. Knatchbull said, he had seen no reason to change the opinion which he had expressed before with respect to the resolutions proposed by his majesty's ministers, which he now felt it his duty again to oppose. The hon. baronet complained, that those who composed the majority by whose vote the resolutions were carried on a former evening, were members in the interest of Government, aided by members who composed what should be the opposition. His majesty's ministers in proposing the present bill, seemed to act upon the principle, that the system of free trade was good for the country. Now, he was one of those who thought that free trade might be carried too far; in which case, it was a system the most unwise for a country to pursue, unless, indeed, a reduction of taxation were to follow it, without which, the principles of free trade could never be enforced. When the chancellor of the Exchequer brought forward his financial statement, the House would see how far the resources of the country would warrant a reduction in the taxes. If the price of corn was reduced, it ought inevitably to follow, that the price of every thing else should be reduced in the same proportion. Were his majesty's ministers then, willing to reduce the taxes? Were they willing to propose, that every description of foreign commodities should be imported at a reduced duty? Were they willing that all departments of the state, civil and military, should be placed upon a less expensive footing? But the country would judge whether or not this was a time to reduce the army and navy. He believed it to be quite impossible to reduce those establishments at present consistently with the welfare and safety of the country. Under these circumstances, he was of opinion that these resolutions would produce, if any, only a partial good; and unless the government was prepared to reduce the public establishments, to lessen the duties on foreign goods, and to reduce taxation, the passing of the present bill would produce no relief to the country.

Sir W. W. Wynn said, he had given his cordial support to the resolutions proposed by ministers, and should, therefore, vote for the second reading of this bill. He denied the truth of the observation of the hon. baronet, that the resolutions proposed by ministers were carried by their friends, aided by the votes of the Opposition; for he had given them his support, although he belonged to neither party.

Sir Thomas Gooch said, that, although many honourable members had changed their opinion on the present measure, he was not one of them. He had listened with the greatest attention to the arguments in favour of the bill, but they had failed to make any impression on him. It had been said, that both his majesty's ministers and his majesty's Opposition had combined to form the late majority. He did not attribute to either any hostility to agriculture. But there were others who had contributed to swell that majority, whose protection he did not much value. He meant the advocates for free trade; and, worse than all, the political economists. The hon. member for Bridgenorth had given the House a detailed essay on political economy; but he had heard so much of political economy as connected with the corn question, that without any objection to the men, he was heartily sick of political economists altogether, and he wished them no further harm than that a clause should be inserted in the present bill, enacting that every vessel laden with foreign corn destined for this country should take back, instead of ballast, a cargo of political economists. It was all very fine for his hon. friend to talk of the benefit which the country would derive from cheap bread; but, if his hon. friend were in a country where the bread was only 3d. a loaf, and he had but a penny to buy it, he would derive very little benefit from his doctrine of cheap bread, and would soon wish himself back amongst the electors of Bridgenorth. Whenever this law passed, it would have the effect of stimulating foreigners to bring land into cultivation, which would otherwise lie neglected. Thousands and thousands of acres of poor land would thus be brought into competition with the poor lands of this country; and he must be a bold and long-sighted man who could tell at what low price foreign corn could be sold here. In conclusion, he must say, that not having heard any thing in the arguments of this evening to induce him to alter the opinion he had before expressed, he would oppose the second reading of the bill.

The House then divided: For the second reading 243: For the amendment 78.—Majority 165.
Mr. Curteis presented five petitions from different parts of the county of Sussex, praying that a bill might be brought in to fix the holding of elections by knights of the shire for Sussex at Lewes. The hon. member then moved, pursuant to notice, for leave to bring in a bill to alter the place of holding county elections to Lewes, which, he observed, would be a great convenience to several parts of the county.

Mr. D. Gilbert seconded the motion.

Lord G. Lennox said, that whenever the bill was brought forward, he would give it his decided opposition, as a measure most injurious to the town of Chichester, and the western parts of Sussex.

Sir C. Burrell said, he would not oppose the motion for leave to bring in the bill, but he would by no means pledge himself to a concurrence in it when brought in.

Leave given to bring in the bill.

CARLISLE ELECTION.—INTERFERENCE OF THE MILITARY.] Sir James Graham said, he was anxious to call the attention of the House to two petitions, which he held in his hand. The one was from Richard Pattinson, and the other from certain freemen and inhabitants of Carlisle, complaining of the unconstitutional introduction of a military force at the last general election for that city, by which some persons lost their lives, and others were severely wounded. He would admit that the ordinary squabbles which took place at elections were beneath the notice of that House; but, when the right of election was interfered with, and the free exercise of the elective franchise prevented by the interference of a military force, he thought he should not perform his duty if he allowed any personal feelings to prevent his bringing it before the House.—The hon. baronet then proceeded to give a detail of the circumstances attending the contest at the late general election, the particulars of which will be brought within the recollection of our readers by the following outline:—Soon after the arrival of the writ, there was a meeting at which the hon. baronet opposite (Sir P. Musgrave) was questioned as to his opinions on several political points; and perhaps the system of “badgering” a candidate, which the chancellor of the Exchequer thought so wholesome on some occasions, was, in that instance, carried somewhat to excess. There was first some hooting, and afterwards some less equivocal symptoms of popular disapprobation, from which the hon. baronet found it expedient to retire, and from prudence or necessity, to shelter himself in a house in one of the suburbs. Thither the crowd followed, and beset the house. The mayor and two constables went to his assistance; but they were pelted, and not being more popular than the hon. baronet, were also obliged to seek for shelter. Soon after, one of the county magistrates, who had experienced the displeasure of the House for calling in the aid of the military in 1820, felt it necessary to swear in some three hundred special constables; but another magistrate went for military aid, and the two forces approached the place together. The former magistrate, remembering the rebuke which
he got on another occasion, was unwilling to sanction such an interference by his presence, and withdrew. The force then went up to the place where the hon. baronet was under restraint, in the following order: First the artillery, then some companies of the 55th regiment, next the magistrate who had ordered them out, and who, on this occasion, did not choose to occupy the post of danger. The rear was brought up by the special constables. Some show of popular resistance was at first made, and some stones were thrown. The magistrate then gave orders that the soldiers should load and fix bayonets. The people retreated, but the soldiers charged them and fired, by which the lives of several unoffending persons were sacrificed.—The hon. baronet then went on to show, that the use of military force was unnecessary, and that the civil force would have been fully sufficient to quell the disturbance. On a recent occasion, a force of a hundred and fifty constables was found fully sufficient to take twelve culprits from the same part of the suburbs, without any resistance. The petitioner, Pattinson, who had a brother killed on this occasion, stated that he would not have brought the case before the House, if substantial justice had been done to him; but he complained of the partiality of the coroner, who, he observed, was an active partisan of the hon. baronet’s (sir P. Musgrave), and he offered to substantiate his allegations at the bar of that House, if necessary.—The hon. baronet then went on to state, from the petition, that a large body of cavalry had been brought on one occasion, by order of the mayor, during the election, near the hustings, by which the passions of the people were enflamed, and much danger might have ensued, if the mayor had not been prevailed upon to give an order for their removal to a proper distance; on which the confusion ceased, the people became quiet, and the harmony continued until the end of the election. That the mayor should have been a partisan, would not surprise the House, when they learnt that he was an accredited agent of the lord lieutenant of the county, and clerk of the peace. He was a practised attorney; and, in fact, his partner in that profession was the agent for the opposite party.—The hon. baronet then contended, that conduct such as that of the mayor was highly reprehensible, and that the House, on a former occasion, had severely reprehended a returning officer for the introduction of a military force near the hustings during an election. The case he alluded to was that of the high bailiff of Westminster, who, in 1741, was rebuked by the House, for introducing a military force near Covent-garden during an election. He thought he should be justifiable in moving, that this case be referred to the committee of privileges, because the hon. mover had the present notice of it would be sufficient to guard against the future recurrence of any such unconstitutional interference. He trusted that the bill now before the House for the regulation of the police of that city, would tend to prevent the recurrence of such events, and that the present case would be sufficient to show that something ought to be done to prevent the interference of the military in such elections. He moved that the petitions be brought up.

Sir P. Musgrave said, the hon. baronet had exercised a sound discretion in not referring this case to the committee of privileges. The interference of the military was, he contended, called for by the circumstances of the case. The hon. member then detailed the occurrences of the day in question, and observed, that he had felt it necessary to take shelter, confident that, if he had not done so, his life would have been endangered. He denied that there was, at first, a sufficient force of constables to assist. There were, afterwards, about two hundred and forty special constables sworn in; but they were weavers of the very lowest class, and such as could not be relied upon for rendering any effectual resistance. In fact, it could be proved, that several of them had joined the rioters, and were identified as encouraging the disturbance. It was agreed between Mr. Ferguson and the mayor, that it would not be safe for them to proceed amidst a crowd so riotously disposed, with such a body of special constables, as they would, by so doing, be placing themselves between two fires. They, therefore, declined proceeding with the special constables sworn in by Dr. Heysham. They went down, however, with the usual civil power of the town, to the place where the rioters were assembled. They read the Riot act to them, and had no sooner done so, than they were pelted by the crowd, and obliged to take refuge in a house near to that in which he himself was shut up. Mr. Ferguson shortly afterwards made his
escape into the city of Carlisle, and having tried in vain to get the assistance of a civil force sufficient to quell the riot in Canongate, applied at last for the assistance of the military. He applied for it at the castle, and having obtained it, marched down to the place where he (Sir P. Musgrave) was shut up. He would now tell the House how the military were received by the populace. When they came in front of the crowd, they were received with a volley of stones. He could speak to that circumstance with some precision, as he had been an eye-witness of it. A gentleman who had seen more of it than himself, through a crevice of a shutter in the house in which they had taken refuge, described the resistance which the people made to the military as being very great. Several of the soldiers were wounded by the stones, and the danger to which they were exposed was so great, that the officer who commanded them told Mr. Ferguson, that his men could stand it no longer. Mr. Ferguson then gave the order for the military to act on the defensive. In consequence, they drew up behind a wall, loaded their pieces, and then came forward and fired upon the people. One of the petitions which the hon. baronet had that night presented, stated that the soldiers had fired precipitately. He believed the fact to be quite the reverse of that statement. After the crowd was dispersed, the sergeant came to take him out of the house in which he was shut up. The sergeant was covered with blood, and had received a severe cut on the forehead from a stone—a clear proof that his party must have been previously ill-treated by the crowd. He lamented the consequences which had followed from the firing of the military—in deed, every man of common humanity must do so—but he believed that the magistrate who directed it, did so from a sense of its necessity to the preservation of the public peace, and not from any wish to obstruct the freedom of election. With regard to the alleged misconduct of the returning officer in stopping the polling on the 5th of June, he begged leave to say, that the polling was completed obstructed by the conduct of the party who opposed his election. Many individuals, in consequence of that obstruction, dared not attempt to vote for him at all; whilst others who made the attempt, were insulted and spitten upon, and treated with every species of indignity. The riot in the streets was so great, that the shopkeepers closed the windows of their shops; the pavement was torn up to supply ammunition for the rioters; his friends were driven from the streets, and then, when there was nothing more to destroy, a stern tranquillity prevailed in Carlisle. The mayor stopped the polling at two o'clock on the Friday, because he received from the freemen in his (Sir P. Musgrave's) interest a representation, that they could not make their way up to the poll. There must have been some riot to make such a representation credible. Under these circumstances, hearing that a legal gentleman of great eminence, Mr. Holt, was in the neighbourhood, the mayor sent to him for assistance and advice; and, by Mr. Holt's recommendation, the mayor again sent for a military force. He admitted that Mr. Holt first advised the trial of the civil force; but the fact was, that at Carlisle there was no civil force; no respectable man being willing to act there as a special constable. Such being the case, the mayor sent an order to the cavalry, desiring them to come to the precincts of the city, and to hold themselves in readiness to act, in case circumstances rendered their interference necessary to preserve the freedom of election. With respect to the circumstances which led the people to know that the cavalry was in the neighbourhood, he believed it was occasioned by the officer's riding in uniform into the city. How the officer came to do so, he did not know; but the fact was, that the vicinity of the cavalry soon became notorious. The people then became so uproarious, and so incensed against the mayor, that he believed they would have sacrificed the life of that functionary, if he had not signed an order, commanding the military to retire to a distance of four miles from Carlisle. Indeed, the mayor was so agitated by the proceedings of that day, that he fell down in a fit of apoplexy in a house in which he took shelter not more than a few yards from the polling booths. Under these circumstances, he trusted the House would be of opinion, that the mayor, in acting as he had done, had not transgressed the line of public duty. There was a wide difference between the present case and that which, in 1820, was submitted to the investigation of a committee above stairs. In that case the gravamen of the charge was, that the magistrates had called in the military without a requisition from the returning offi-
cer: here, it was the returning officer who had absolutely called them in. The hon. baronet concluded by thanking the House for the attention which they had listened to the statement into which he had felt it his duty to enter.

Mr. Secretary Peel deprecated, in the strongest terms, any unnecessary calling in of the military, to assist the civil power. At the same time, he felt himself compelled to say, that so long as the city of Carlisle remained as it did at present, without any efficient civil force, the military must occasionally be called in, to preserve the public peace. The whole civic force of Carlisle at present was two constables. It was not surprising, therefore, that the law was not properly administered, considering that these two men had to superintend and to check all the offences committed by a population of thirty or forty thousand persons. He knew that a bill was now before the House for the specific purpose of giving an efficient police to the city of Carlisle; and he made no hesitation in saying that some pecuniary sacrifice must be made by the inhabitants to carry it into execution. It might be a good system, four or five hundred yards, to trust to the exertions of a party of shopkeepers and special constables; but now, when the population was so much greater than it was, and so many artificial wants were introduced among them, he thought they ought not to trust to a corps of volunteer constables, but to a well-paid and united police. He did not know whether he should have taken any share in the present discussion, had it not been for the charge of remissness which the hon. baronet who presented the petition had brought against himself. He thought that he could satisfy even the hon. baronet himself, that the charge was totally without foundation. The first riot took place at Carlisle on the 6th of June. On the 7th the mayor wrote to him informing him of it, saying that he had called in the military, and hoping that he would sanction, not merely their being called in, but also their being retained in the town. He received that letter on the 9th of June. On the same day he wrote an answer to the mayor, saying, that he could not approve retaining the military force in the town during the time of the election, unless there was a clear and undeniable necessity for it; and that the sex of the two persons who were killed by the military, made him pause before he ventured an opinion in approbation of the mayor's conduct. He likewise added, that as to the propriety of retaining the military in Carlisle, he was not then in a situation to decide; and that he must have more facts within his knowledge before he gave to such a measure his approval. He thought that the hon. baronet would regret if this statement alone, acquit him of the charge of remissness. But he could carry his defence much farther. He had written immediately to Sir J. Byng, the commander of the district, and had requested that excellent officer to send him all the particulars which he could collect, relating to the unfortunate transaction. He had received such a report from Sir John Byng; and he owned that the impression on his mind was, that there was no intention on the part of the mayor to interfere with the freedom of election when he called in the military on the 5th of June. Carlisle was a garrison town; and therefore it was that a party of soldiers were left in it during the election to take care of the garrison. It was in consequence of Carlisle's being a garrison town that it had been so long without an efficient police. The people of Carlisle had hitherto relied on the presence of the military in case of any disturbance: but he must now tell them that that reliance must be at an end; for he would not lend his assistance to calling in the military on every trifling breach of the public tranquillity. He then entered into a statement of the circumstances of the riot of the 9th of June, which corroborated that previously given by Sir P. Musgrave. He contended, that the military had not fired until they were compelled to do so in self-defence; and he believed that it was owing to their desire to avoid mischief by firing over the heads of the people, that one of the women, who was killed at her window, met her death. He then entered into a similar history of the riot of the 9th of June, and said, that the information which he had received, convinced him, that on that day the mayor had been grievously assaulted by the rioters, and, indeed, had been confined to his bed in consequence of bruises he had then received. He therefore thought, that it was possible, that the mayor, having been himself captured on the 5th, and seriously assaulted on the 9th, by the rioters, had conceived
that a necessity existed for calling in the military. It had been asked, why he had not called in the infantry, instead of the cavalry? It appeared to him that the mayor’s reason for calling in the cavalry instead of the infantry was, that he did not wish to aggravate the feelings of animosity which already existed between the working population of Carlisle and the military stationed in the garrison. He had now stated the case as fairly as he could, for he had no triumph to gain, being unconnected with either of the parties in the city of Carlisle. He thought the hon. baronet had done wisely in not founding any motion on the petition which he had presented, but in merely stating it as a reason for securing to Carlisle the benefit of a sufficient civil force.

Sir J. Graham said, that the opposition to the bill, to which the right hon. gentleman had alluded, did not come from his friends at Carlisle, but from the members of the corporation; who were the very parties who had acted in the improper manner of which the petitioners complained. If the hon. baronet on the other side of the House would move for a committee of inquiry into the subject of these riots, he would be prepared to substantiate before it all the allegations contained in the petition. The hon. baronet had said, that it was impossible to find a single respectable special constable among the fourteen thousand persons who constituted the population of Carlisle. Now, it was quite impossible to believe that to be the fact. The hon. member then proceeded to recount the circumstances of the riots on the 5th and on the 9th of June. With regard to the events of the last day, he had himself been an eye-witness, and therefore could speak with some degree of authority. Never did any election proceed more quietly than did the election on that day, up to the time when the people discovered that the military were called in. On the knowledge of that circumstance reaching them, he admitted that a scene of riot and confusion did ensue. Chaos appeared to be let loose; but then the tumult originated from the indignation which British electors naturally felt at seeing the freedom of election violated. As soon as it was known that the troops were to be withdrawn to their former cantonments, the riot subsided, and the town became quiet. He had not blamed the mayor for calling in the cavalry instead of the infantry. He blamed the mayor on two distinct grounds; first, that on the 5th of June he had not used any of the three hundred special constables who had been sworn in, to quell the riot; and secondly, that apprehending a riot on the 9th, he had created it by the means he took to prevent it.

Ordered to lie on the table.

STATE OF CHURCHES IN IRELAND.

Sir John Newport rose, in pursuance of notice, to bring under the view of the House the state of the law for Rebuilding and Repairing of Churches in Ireland. He hoped that the House would favour him with its attention, as his motion related to a class of individuals who were now visited by the law with certain penalties and exclusions which ought never to have been inflicted upon them. In consequence of the reformation in Ireland being subsequent to that in England, it was not until late in the reign of Queen Elizabeth that the churches of Ireland were transferred from the care of the Roman Catholic to that of the Protestant clergy. In that state they remained until the 12th of Geo. Ist, when an act was passed for the purpose of putting those of them which had fallen into decay into full and complete repair. The hon. baronet called the attention of the House to the preamble of that act, in which it was alleged, that the reason of the churches falling into decay was, that the Papists outvoted the Protestant parishioners at all vestry meetings. It was therefore enacted, that from that time henceforward, no Papist should be qualified to vote at any vestry meeting. What had been the result of that enactment? Had the churches been prevented from falling into decay by it? No such thing. Though an unlimited power of taxation was flung into the hands of the Protestants, the churches—nay, in some cases, the very cathedrals—were still permitted to sink into ruin. Being in this lamentable situation, it was found necessary to rebuild them. And, at whose expense did the House think they were to be rebuilt? Not at the expense of the episcopacy, who were bound to look to their preservation; not at the expense of the Church of Ireland, which had immense revenues at her disposal; but at the expense of the Roman Catholics, who were shut out from the vestries, and derived no benefit from the churches when rebuilt.

The right hon. baronet then mentioned the
case of a parish in which the Protestants, twenty three years ago, burnt down the Roman Catholic chapel. The Catholics had never since been able to rebuild their chapel, but had erected their altar under any place which afforded them shelter; and yet in this very parish a new Protestant church had been built at the expense of the Catholics. It was not alone the Protestant parish churches which the Catholics were called upon to build and repair; they were likewise compelled to repair their cathedrals. The preamble of the 21st of George 3rd, stated, that in several dioceses the cathedral churches were so incommodioulsy situated, that they could not be conveniently resorted to for the purpose of the performance of divine service, and that therefore such performance had not taken place in them for many years, in consequence of which they had fallen to decay. 

What remedy did the House suppose was provided by the act in question—that the incumbents should support them?—No; but that they should be incorporated with the parish churches, and supported at the expense of the inhabitants, that is to say, of the Roman Catholics. In Cork, the cathedral church was supported by a tax upon the coals consumed in that city. He was glad to state one honourable exception to the general conduct of the Protestant clergy in Ireland. The dean of the diocese of Down voluntarily proposed to contribute from his own income 300l. per annum for the supportation of the cathedral church. The conduct of this individual ought to be mentioned with honour, for his was a solitary example of disinterestedness. He was warranted in saying, that since the Union, no less than half a million had been raised, principally upon Roman Catholics, for the support of Protestant churches in Ireland. It was stated, in a petition which had been presented to the House from a poor retail shop-keeper in the parish of St. George, Dublin, that he had been distrained upon for fifteen years' church rates. He had applied to the Irish government for relief; but they told him they could afford him none. He trusted, however, the House would be of opinion, that this was a state of things in which it was called upon to interpose. The original estimate for building the church which this poor man was compelled to contribute to was 17,000l.; and already upwards of 40,000l. had been expended upon it. It really was a libel on common sense to talk of extending equal protection to all persons, if abuses such as those which he had stated were to be tolerated. The act of parliament which authorised the building of the church in question originally contained a clause which authorised the erection of an organ, but it was objected to, and was finally struck out. The trustees, however, had consulted counsel as to whether an organ might not be introduced under the name of an "ornament." The counsel had determined that it might, and therefore an organ had been placed in the church, in spite of the declared opinion of parliament. For this organ 800l. had been paid; and 200l. more for fitting it up. The trustees of this church were not only self-elected, but, according to a clause of the act, they were compelled to account to nobody, but to each other. There was only one mode of checking such abuses, and that was by preventing persons who did not profess the established religion, and were unconnected with the vestries, from being taxed to support Protestant churches. If, however, the system of unfair taxation were to continue, it would be much better to intrust the power of effecting it—to a Protestant bishop, for instance,—rather than to allow a carpenter, a plaster, and a plasterer, professing the Protestant religion, whenever they found it convenient and useful to them, to levy a sum of money, of which each in his voca-tion obtained a share. It was usual to hear this country spoken of as the paragon of liberality, whilst Roman Catholic countries were equally decried for their illiberality and prejudices. He would leave the House to judge whether this character was just, after he had stated the conduct which a Catholic country had observed towards Protestants. In 1791, the Diet of Hungary, which, like the parliament of this country, was composed of persons of different orders of the community, to the number of five or six hundred, came to a resolution in the following words:—"The Protestants of this state shall not be called upon to contribute to the Catholics either in money or labour, nor shall the Catholics, on the other hand, contribute to the Protestants, or to the establishment of their churches or schools." This resolution was passed by a majority of more than three to one. In the same diet, Protestants were declared equally eligible with Catholics to fill every office and to hold every rank in the state. This was the conduct of a
Roman Catholic state; and yet it was

said, that England, for liberality, surpassed
every other country in the world.—He

hoped he had stated enough to induce
the House to take the subject to which
he had directed their attention into its
serious consideration. It struck him that
one means by which the existing evil might
be remedied, was the rendering of first-
fruits available, according to the intention
of the act of queen Anne. Another mode
was a recurrence to the system which pre-
valied in the times of Henry 8th, and
Elizabeth, of making the clergy support
the churches and the poor out of the tithes.
The act of queen Anne operated differently
with respect to England and Ireland. In
England, the first-fruits and tenths were
appropriated to the improvement of small
benefices; but in Ireland the tenths were
remitted, and only the first-fruits reserved
for that purpose; and yet the rich clergy
of that country called upon the impoverished
laity to repair their churches. In the first
instance, therefore, he would propose, that
the first-fruits should be made available
for the support of the churches. If that
should be refused, he would then introduce
a bill to direct that, whenever any diocese
should become vacant, a report should be
made to the bishop of the diocese, as to
the state of the church; and if it should
appear that the church was not in a state
to allow of the performance of divine duty,
the revenues of the benefice should be alto-
gether applied to the repair of the church,
with the exception of an allowance for a
curate to perform occasional service; and
that the incumbent should not enter on the
living until the repairs were completed.
Some such legislative enactment was ne-
cessary to rescue the clergy of Ireland from
the disgrace of compelling persons who did
not profess their religion to support their
churches.—The right hon. baronet con-
cluded by moving the following resolution:

"That it appears from the Irish statute,
12 Geo. I. c. 8., that many of the Parish
Churches of that Kingdom, which had
been transferred, at the time of the Re-
formation, into possession of the Estab-
lished Church of Ireland, were, in the
year 1726, in a state of such great decay,
that Divine Service could not be performed
therein; and it is also there stated, that
such Churches could not be rebuilt or
repaired in consequence of the Popish
inhabitants outvoting the Protestant
parishioners at vestries held for such
purpose.
were. The right hon. gentleman appeared to be actuated altogether, in his policy respecting Ireland, by the spirit of those days in which the worst penal enactments had been passed. From all these considerations, he felt an objection against the introduction of almost any bill on the subject of Irish affairs; for he felt the strongest apprehension that it would be not only neutralized as to its power of doing good, but that its beneficial influence would be converted into mischief, through the means of the right hon. gentleman, who would at last have his own way, and bring about his own favourite purposes. However, in seconding the motion of his right hon. friend, he hoped he was laying the foundation of some good. The power of taxing the Catholics of Ireland for the support of Protestant churches might, perhaps, be endured, if exercised by grand jurors acting under the influence of an oath; but it was intolerable when placed in the hands of a few vestry-men, meeting in private, and having only their own purposes to serve.

Mr. Goulburn said, that the observations of the hon. member for Wicklow, as they were personal to himself, demanded his primary notice. That hon. gentleman was pleased to say, that he was actuated, in his policy towards Ireland, by a spirit similar to that which animated those who originated the penal laws of Ireland; and it was upon a reference to the Vestry bill, which he had introduced, that the hon. gentleman had principally founded his imputation. Now, he would say that any gentleman who had looked into that bill, must at once see that its object and tenor were of a description utterly at variance with a supposition of such a nature. Any gentleman must see that the imputation against him grew out of a totally erroneous view of the measure; and in charity he must suppose, that the hon. gentlemen had never looked into the bill. To those who had seen, and who understood the provisions of the bill, he would appeal confidently, and ask them if it was not a measure, which was characterized, so far as it went, by a principle of amelioration? The right hon. gentleman then explained the nature of the Vestry bill. What, he asked, had been the evil complained of herefore? What was it that the hon. member for Limerick had made the frequent burden of his remonstrances to that House? Was it not that the Catholic, who was taxed by a vote of the Protestant vestry, had no appeal except to the archbishop or the bishop, by whose ordinance the vestry was held, perhaps, and who, at all events, was a party interested against the appellant? What then did the Vestry-bill effect? It vested a power of appeal in the Catholic to the bench of magistrates, where, perhaps, there might be members of his own communion, whose disposition to enter into the investigation of his complaint, would not certainly be questioned. This was an enactment obviously calculated to insure justice to the Catholic; a measure respecting which the opinion of Catholics had been expressed in a favourable and grateful manner. And what was his reward for his exertions? Why, an imputation that he was actuated by the spirit of persecution which animated the originators of the penal laws, and a complaint, which held him up as an object of aversion to those, with whom he felt every disposition to live in peace and harmony.—So far with respect to the personal part of the subject. He would now refer to the speech of the right hon. baronet. The right hon. baronet had stated, that the churches which were transferred to, or, more properly speaking, which were occupied by, the Protestants at the time of the Reformation, were suffered to lie in a state of neglect and dilapidation. He was ready to confess, that his inquiries into the history of former times convinced him of the truth of the right hon. baronet's statement; and that complaints had been unceasingly made of the want of edifices for the use of the established form of worship in Ireland. In the time of lord Stratford's administration, that lord Deputy's attention had been directed, in a particular manner, to the subject of this complaint. He had made it his object, in his communications with England, to represent the great respectability of the Protestants in Ireland, and the necessity of providing them with suitable means of performing the public duties of their religion. His lordship finally proposed, that a commission should be appointed to inquire into the state of Protestant ecclesiastical structure in Ireland, with a view to a thorough reform in the same. He took occasion to represent, that not only the churches, but the parsonages and the vicarages were in ruin, and that the people remained untaught. In fact, on look-
between the two countries, he thought that the crime chargeable against England was, that she did not take sufficient pains to provide places of worship in Ireland, appropriated to the reformed religion. It was not until the year 1777, that the subject received any great attention from the legislature; and not until the late Mr. Perceval’s administration, that any practical measures were adopted to meet the exigencies so feelingly described by Lord Strafford.—The right hon. gentleman then stated what had been done for the purpose of erecting churches in Ireland. He was ready to grant, that it was a great hardship in appearance to compel those who formed the majority of the people, to contribute to the maintenance of the religious establishment of those with whom they altogether disagreed in matters of faith. But, whilst he was ready to go thus far, he could not at the same time stray away from the principle, that the established mode of faith claimed the support generally of that community amongst whom it existed, and that the country in the aggregate was bound to contribute towards its maintenance in a suitable manner. The right hon. gentleman then adverted to the subject of St. George’s church in Dublin, and said that as a special act of parliament had been obtained for the building and repairing of that church, no argument derived from the facts connected with its history could be fairly extended to the general condition of the Irish church. He contended, that much had been done in the way of lessening the burthens of building new churches in Ireland; that a spirit had been manifested on the part of the legislature, to make those burthens light, whilst care had been taken to provide the people with suitable structures. Thus, for example, money had been advanced for the purpose of raising the edifices in the country parishes, on which no interest was to be paid, and which was to be refunded in a manner that showed at once the disposition to consult the convenience of the parishes.

Sir J. Newport.—Without interest? Is that so? I understood that payments were annually made.

Mr. Goulburn.—Yes, by way of instalement; but, on the principle advanced no interest was required. It had been found that the expense of raising churches had been 1,400l. per parish. The instalment required from the parish was six per cent, or 84l. a-year. Now, on this very subject, he himself introduced a bill, by which he reduced the amount of the instalment from six to four per cent, making the annual charge 56l. instead of 84l. Under the operation of this law six hundred and sixty-four new churches, and five hundred and sixty-two new glebe-houses, had been built in Ireland. Each parish had now a place of worship, and a house which a minister could reside in. It was impossible for him to admit the principle of laying any further load upon the clergy of Ireland, whose incomes were already, in many instances, inadequate to their maintenance in a state of respectability. He held in his hand a letter written by a clergyman who was now, unfortunately, no more; but of whose character, if he were to mention his name, no person could entertain a doubt, which described the various heavy charges to which a living in Ireland was already subject. The living held by the gentleman in question was one of 160l. a-year. Out of this he had to pay for his first-fruits 8l. 12s. a-year, and other expenses, amounting to 20l. There was due to the late incumbent, on account of the glebe-house, 178l.; and 70l. more he had to pay for expenses upon taking possession. But, in addition to all this, he found it necessary to keep a curate; and, surely the House would not say that such a man was not sufficiently burthened. Such, then, was the real state of that clergy, whose ease and wealth it was so much the fashion to decry. On their behalf, he complained of the injustice which had been done them. For these reasons, he thought he was not acting unfairly in moving upon the resolution the previous question. If, at any future time, the right hon. baronet should think proper to propose any substantive measure, he would give his opinion upon it; but at present he thought the resolution founded upon wrong assumptions. The right hon. gentleman, after again complaining that he should have been held up, by the hon. member for Wicklow, as an enemy to the interests of that country, the advantage of which he had ever exerted himself with his best ability to promote, sat down by moving the previous question.

Mr. John Smith said, that the present system of building churches by a tax imposed by half a dozen Protestants on the
great bulk of the Catholics in the several parishes in Ireland, was wholly indefensible. It was absurd, impolitic, and unjust. He was one of those who thought that, in a Christian country, there would be found in the zeal and piety of the people sufficient activity and abundant means to provide themselves with places for the celebration of Divine worship of their own accord; and upon this principle he had opposed the grant of public money for the building of churches in this country, a session or two ago. In Ireland, however, where the Protestants formed but a tenth part of the population, the increasing or keeping in repair the churches, would perhaps be better effected by the grant of public money, objectionable as that mode was, than by the present most absurd and pernicious system. He was utterly astonished how such a system could have been devised; and that it was continued could only be accounted for by that utter contempt of common sense, which seemed to stigmatize every measure taken with respect to that most distracted and unhappy country. Day after day was the attention of parliament called, by those few but distinguished friends which Ireland still had, to some new grievance, some freshly detected abuse, more flagitious than its predecessors. But when was a remedy offered? The right hon. gentleman opposite had complimented himself upon his friendly feeling towards the Catholics of Ireland; but what had he done for them or for their country? If he imagined that by empty professions he could stifle the universal call for reform in the public institutions of Ireland, he greatly deceived himself. The Catholics were not blinded by these measures. They had no confidence in the right hon. gentleman's professions, and if he really intended them kindnesses, he must tell him, from personal knowledge, that they were wholly insensible to his good offices.

Was this motion, then, to be disposed of, as all others on the same unfortunate subject had been before? It was in evidence, that the most flagrant abuses prevailed in the execution of the process of the courts in Ireland, and that the collection of debts was beset with difficulties. What remedies had been proposed for that crying evil? It was admitted, that many persons were greatly distressed by the payment of a tax for the building and repairing of churches, and yet that tax was about to be continued. By the present system, it was in the power of a Protestant bricklayer or carpenter of any influence in the parish, to procure a resolution of the vestry for building a church, merely to give himself a job. He had been informed that this was actually the case in some parishes in the north of Ireland, where the poor Catholics were afraid to complain. He thought that his right hon. friend, by this motion, had added considerably to the very great claims which he already had upon the gratitude of his country. It was not likely that he would now succeed; but the day would come when common sense, and common justice, must prevail. He had many objections to the voting of public money for the building of churches; but he thought anything preferable to the present system in Ireland. On these grounds he supported the resolutions.

Sir William Plunkett, in rising to support the amendment, disclaimed all intention of following the hon. gentleman who had just sat down through the digressive allusions in which he had indulged. He put it to the good sense of the House, whether upon a motion relative to the building of churches in Ireland, he was expected to go at large into a defence of all the measures which had been taken by government with respect to that country? He would ask, what had the mode of collecting debts in Ireland to do with the present question? He declared, that up to this time, he was not aware of any serious complaints having been made of the administration of the law on that particular; and most certainly, he was not likely to be prepared for such a communication by the terms of this notice, or the opening speech of the right hon. baronet. Last year, he believed, some complaints had been made respecting the collection of debts in Ireland; but there had been a public inquiry since; and was he to understand, that any new ground of dissatisfaction had arisen since the presenting of the report of the commission to which he alluded? The House was aware that the right hon. Secretary had given notice of his intention to bring in a bill relative to the collection of debts in Ireland; and the hon. member might have waited the result of that measure. With respect to the resolutions before the House, he should say, that as to that part of the complaint which related to St. George's church, it was chargeable, as the right hon. baronet
knew, upon the act of 1793, for which neither himself nor his right hon. friend were responsible. But, if these resolutions were carried, they would not meet the complaint with respect to St. George's church. The right hon. baronet would find many of the evils of which he complained remedied by the bill of last year. He would not flatly contradict the statement of the right hon. baronet, but he was disposed to think, that he must have been misinformed on the subject of the organ. The hon. member opposite had commented upon the facility of a carpenter or a bricklayer making a job of building a new church. If he had looked into the act of last year, he would see that this jobbing was completely prevented, by the appeal which was given, not to an ecclesiastical, but to a lay tribunal, of which Catholics as well as Protestants might be members. He considered this a serious question. He did not believe his right hon. friend contemplated the decay and destruction of the Protestant churches throughout Ireland; but these resolutions would practically produce that effect. It would be a certain consequence of them to increase the difficulty which already existed, of repairing these edifices. The Catholics would think themselves exempted altogether from the obligation of contributing to keep the Protestant churches in repair, and the supposition would produce mischievous consequences. Was the House to say that, because the number of Protestants in Ireland was small, the churches were to be therefore suffered to go to decay? Had the right hon. baronet confined himself to any particular mode of rebuilding churches in Ireland, more calculated than the present to give satisfaction, he would have supported him in it. These resolutions, even admitting them to be historically true, were yet inconsistent with themselves. They first complained that the Catholics were subjected to taxes for the building of Protestant churches in Ireland, and secondly, that the churches were not built. He would give his cordial support to a bill, which devised any particular mode of rebuilding churches in Ireland; but he protested against these resolutions, which could only produce discontent. The right hon. gentleman then entered into a defence of the bill of last year, which, he said, had been made a theme of attack in this and in other places. Being an act of consolidation, it was no objection to it, that it re-enacted all the existing laws. But he defied the hon. member for Wicklow to say that there were not many amendments introduced into that act. Amongst other things, it exonereated Catholics from serving as churchwardens; provided funds for the decent burial of the Catholic poor; and gave an appeal against church assessments, not to an ecclesiastical, but to a lay tribunal. All the hardships imposed by that act were to be found in preceding acts; but all its remedies and benefits were new. Before he sat down he must say he was decidedly opposed to the application of any portion of the first-fruits to the building of churches. He could not consent to throw any additional burthens on the parochial clergy of Ireland; of whom he would say, notwithstanding all the cant about the overgrown wealth of the church, that there was not a more meritorious or worse-paid body of men in the state. These first-fruits originally belonged to the see of Rome. They then became vested in the crown of England; afterwards they came to the commissioners of first-fruits, were now settled at a fixed rate, and he would decidedly oppose any interference with them.

Mr. Spring Rice, in giving his support to the motion of his right hon. friend, disclaimed all hostility to the Protestant church. He and those who acted with him were as much attached to that church as any right hon. gentleman. They only differed as to the mode of showing their attachment, and the difference was this, that when an abuse was discovered with them, it was a signal for a remedial measure; whereas with the gentlemen opposite it was a signal for resistance. The gentlemen opposite, in fact, admitted the insufficiency of their measure, when they tendered their assistance to his right hon. friend in the framing a new one. Now, when in England we refused to confide in parochial vestries to tax the parish for the building of churches, on what principle could we give this confidence to parochial vestries in Ireland? He was not surprised at the irritation which existed in Ireland respecting the church; but this was not a feeling against the doctrines or against the parochial clergy; for, although he could not support the opinion as to their poverty, he was willing to bear testimony to their worth. He would give his assent to the
resolutions; but he hoped, if they should be negatived, the right hon. gentleman would redeem his pledge, and come forward with some remedy.

Mr. Secretary Peel expressed his readiness to give the hon. gentlemen opposite the fullest credit for their declaration, that in supporting these resolutions, they were desirous to promote the real interests of the established church; while, at the same time, he claimed for himself and his colleagues the same credit for meaning to exempt, as far as possible, the Catholic tenantry of Ireland from undue burthen. He hoped, therefore, that this question would be discussed upon its own intrinsic merits, and without reference to the diversities of opinion which prevailed between them upon what was called the Catholic question. He must defend his right hon. friend from the sarcasm which had been thrown upon him for his bill of last year; a bill which had materially benefitted that part of the Catholic population to which it applied. The attack upon the vestry bill was, therefore, uncalled for; and the assistance which his right hon. friend had given in the tithe composition bill ought never to be forgotten in the sister kingdom. With reference to the present question, the course of proceeding by resolutions was extremely objectionable; for it precluded that discussion, either of principle or of details, which was practicable in the introduction of separate bills. He was sorry that this discussion had been embarrassed by allusions to cases of peculiar grievance in the levies on some parishes, and particularly the local act for St. George's parish. It ought to be remembered, that the latter was altogether a private act; and if it had inflicted a grievance, the remedy was by a repeal of the objectionable clause, and not by the introduction of an irrelevant measure. It was equally wrong to mix up cases of apoliation and outrage with the present consideration; for these ought to be punished and repressed, without reference to any of the larger topics which had been introduced into this discussion. He could not concur in the broad proposition which had been laid down by the right hon. baronet; namely, that the Roman Catholic peasant ought not to be burthened with any share of the expense for repairs of Protestant churches. If that principle were good for Ireland, why was it not equally so for England? Let the House see the length to which it was capable of being carried. If one class of dissenters were to be so far relieved, what reason could be assigned for not releasing all other classes who were not within the pale of the established church? Such a proposition would require very serious consideration; for the inevitable consequence would be, that all who were indifferent to the reformed system of worship would declare themselves dissenters for the purpose of escaping this tax. Undoubtedly, he was prepared to admit, that if one class of dissenters more than another deserved to be looked upon in a favourable light, it was the Roman Catholic occupiers of land in Ireland; for they had to provide their own churches, as well as to assist in making the same provision for the church established by law. But while he entertained these feelings towards the Roman Catholic occupier of land, he felt them not for his landlord; and more particularly for his Protestant landlord; and still more so, where he happened to be an absentee. Of all men, for him he had no consideration. He would not, indeed, compel him to reside in Ireland, but he would not exempt him, if he could, by a bounty on his absence, and for the purpose of casting the price of that bounty upon others. With reference to the right hon. baronet's second proposition; for the insertion of a future clause into leases, to save the Roman Catholic tenant, and throw the weight upon his landlord, he was rather favourable to the consideration of such a regulation, if he could see his way through the prevention of any abuse of its provisions. He felt for the poor tenant who had taken his lease without any expectation that a church would be built near his land, and who had afterwards to meet the expense of such a building. With these impressions, and with the utmost desire to go hand in hand with the right hon. baronet, in giving a full and calm consideration to such parts of his plan as he had alluded to, if brought forward in the form of a specific bill, he hoped he would withdraw his present resolutions; otherwise he should meet them by the previous question, which would not prejudice the future consideration of the condition of the Irish tenantry, or decide against hearing their complaints. As to the extension of the plan to Ireland, which had been acted upon in this country in the mode of building new churches, by making certain public advances for that purpose,
he was not prepared to say how far that could be realized. At all events, he was not adverse to the consideration of this branch of the subject, if introduced in a different form.

Mr. H. Grattan supported the resolutions, observing, that the real question at issue did not so much regard the church establishment of Ireland, as the connection of that country with England. The vestry cess was of a grievous character. It had countenanced the most extravagant and superfluous ornaments in churches, almost wholly unfrequented by those who had to pay for such extravagance. Since the year 1830, there had been levied 1,623,000l. by the vestries for such purposes. It was not now the question whether the Catholic church should be supported; but whether it should continue to exist. The Catholic places of worship, as contrasted with those of the Protestants, were in a most ruinous condition; the worship being frequently obliged to be performed in the open air.

Sir J. Newport, in reply, said that he should withdraw the resolution, and simply move for leave to bring in a bill, "to amend the laws for building, re-building, and repairing, Churches, and for relieving the occupying Tenants of Land in Ireland from the burden of Church Rates in certain cases."

The resolution was accordingly withdrawn; and leave was given to bring in the bill.

Imprisonment for Debt.] Mr. Hume, pursuant to notice, rose to bring forward a motion on a subject of the greatest importance. He hoped the House would indulge him with a patient hearing, while he trespassed on them with some details, which he deemed it right to adduce in support of his motion. Having submitted these details, he should leave it to the House to determine, whether the inquiry which he proposed ought not to be instituted—to say whether a state of things ought any longer to continue, which he considered a reproach to the justice of the land; or whether the evils which existed ought not long since to have been remedied. The subject of his motion was connected with every interest in the country. The law, as now practised, authorising imprisonment for debt, occasioned the most serious mischief; and the question would be, whether it ought to continue under such grievous circumstances as he should detail to the House. Some years ago he had moved for various returns, to show the magnitude of the evil; and last year for further returns. They would give a tolerably forcible idea of the extent of those evils which he desired to see remedied. He wished an inquiry into the policy of imprisonment for debt, to be connected with an investigation into the state of the prisons appointed for debtors. According to the returns made up to the 26th April last, there were three thousand one hundred and thirty persons confined for debt in the prisons of the metropolis. That was a frightful number of persons doomed to idleness, separated from their families and from good habits, and initiated into the vices inseparable from prisons. After obtaining their release, they could hardly be expected to become good subjects. Of the number of debtors just named, there were nine hundred imprisoned for debts under 20l.; seven hundred and fifty for debts under 50l.: four hundred and fifty for debts under 100l.: seven hundred for debts above 100l.: about two thousand had been imprisoned upwards of six months. In Middlesex alone, in three or four months, there had been two thousand six hundred and seventy-seven arrests; and in the corresponding four months of last year, upwards of three thousand arrests had taken place, under the warrants of the sheriff of Middlesex. In the whole year there had been between eleven and twelve thousand persons arrested for debt under the authority of warrants issued by the sheriff of Middlesex alone. Such being the state of things, it became a question, whether the imprisonments were to be continued for the safe custody of the parties, or as punishments? From those returns it appeared, that, in April 1826, the number of individuals confined for debt within the walls and in the rules of the King's-bench prison, amounted to nine hundred and ninety-five. In the preceding year the number was seven hundred and ninety-one only. In the Fleet prison, the number confined for debt in April 1824, was two hundred and thirty-seven. In April 1826, the number was two hundred and thirty-seven. In Whitecross-street prison, which was the prison of the county of Middlesex more particularly, the number of prisoners for debt, in April 1825, was four hundred. In April 1826, the number was five hundred and forty-six. In the Marshalsea there
were confined for debt, in April 1826, no less than a hundred and six. In all the four prisons the aggregate number of prisoners for debt in one day, amounted to one thousand nine hundred and seventy-four individuals. In all the prisons of the country, the number was from twenty thousand to twenty-two thousand individuals, shut up for debt. He implored the House to consider the sort of education and the habits that must be contracted by these unhappy persons, thus mixed with the worst classes of society; their labour lost to themselves, to their families, and to the country. This was a frightful state of things, and the laws relating to arrest for debt required to be considered by the legislature. If the House would enter into a consideration and comparison of the laws of England and Scotland in this respect, they would be inclined, if not to abolish altogether, at least greatly to modify, the laws of arrest in this country. But those laws were not always in this state. He had the authority of lord Coke, and of other great lawyers, for saying, that formerly an individual could be arrested for assault only, and not for a simple contract debt. But now nothing was easier than to deprive a man of his liberty, and his family, and the country of his services, by means of those laws. For swearing the affidavit of debt, for stamp, and writ, the party had to pay about 3s. 10d., which, with 1s. to an officer, made only 4s. 10d. The affidavit of the debt might be false and malicious, still the party was thrown into prison. Now, was it not wrong to suffer a person to be deprived of his liberty, and thrown into evil society, on grounds such as these? The person who had thus satisfied his motive at the trifling expense of 4s. 10d., might then leave the country without any fear of the consequences; for he was not obliged, as in justice he should be, to give any security to prosecute his suit, or pay the expenses. Such securities were formerly called for and given. The hon. member described and lamented the hardships of a person thus arrested at an expense of a few shillings, for an alleged debt of, perhaps, 10,000l. or 20,000l., when, in reality, he might not owe one farthing. However wealthy and respectable such an individual might be, he might have to lie in prison several days. The arrest might be made on a Saturday evening; or the sum might be purposely made so large as that sureties, could not be easily found. Yet, what was the remedy for all this? He might, indeed, have his action for false imprisonment; but the pretended creditor might have abandoned, or not be worth pursuing. The hon. member next showed the petty vexations to which the person arrested was subjected in giving bail below, and above. For the former, in fees at judges' chambers, to sheriff, and for stamps, he would have to pay no less than 3l. 6s. for so small a debt as 10l. It was extraordinary, that while bail for a debt of 10l. cost 3l. 6s., bail on a criminal charge cost only 4s. 6d. This was a matter which well deserved the consideration of the Secretary for the Home Department. Now, in Scotland, no arrest could be made without the intervention of a decree of court, unless the person was leaving the country. But it could not be said, that there were not dealings and transactions, and bills, and notes, passing in Scotland. If a note or bond became due, notice was given, and if the person did not pay, then he was arrested, and proceedings taken against his property. But in England, from the state of the laws, persons went to prison, but retained their property, and the creditor was not at all benefitted, though the country and his own family were deprived of the debtor's labour. At the present moment, he knew of an individual who was living luxuriously within the walls of a prison, from the produce of his lands, which the creditor could not touch. This individual raised money on bonds and notes, purchased freehold estates, and settled his family on them. When the bonds and notes became due, he went to prison, where he was enjoying the produce of the estates, managed by his wife and children. Several prisoners now confined in the Fleet, and elsewhere, had defrauded their creditors in the same way; refusing to give up any portion of their property for the liquidation of their just debts, and living in expense and extravagance. Where, then, was the wisdom of continuing laws which were so abused and perverted. In other countries, there was no such thing as imprisonment for debt; and he was satisfied that trade and business of every description might be carried on much better in England, if there was no such thing as an arrest for debt. By a paper on the table of the House, it appeared that since the formation of the Court of Insolvent Debtors, eleven thousand six hundred and
seventeen persons had been liberated by
the commissioners therein presiding. The
gross amount of the debts which those
persons owed came to no less a sum than
8,863,000l., and the sum actually divided
amongst their creditors was only 4,788l.,
being at the rate of about half a farthing
in the pound sterling.—The hon. member,
after describing the expense of passing
through the Insolvent Debtor’s court, ad-
verted to the Craven-street institution for
the relief of persons confined for small
debts. By a return from that society, it
appeared, that they had liberated, up to
last year, forty-two thousand persons,
whose debts were compromised at about
3l. each on an average.—The hon. mem-
ber then referred to several reports of
committees appointed to investigate the
Fleet and other prisons, whose recommenda-
tions were never acted on by the House.
There were; it appeared, in the King’s-
bench prison, a hundred and ninety-two
rooms appropriated for the reception of
the prisoners. A great part of these
rooms, however, were given to individuals
who could afford to pay for them. In 1819,
four hundred and forty persons were con-
fined, eighty of whom had separate rooms.
What situation then, would ask, must
the unfortunate prisoners be in at present,
who, in point of numbers, were nearly
double what they were in 1819? Seven
hundred and fifty persons were at this mo-
moment confined within the walls of that
prison, who were crowded into close rooms,
not in any way adequate to their accom-
modation. The hon. member then refer-
ded to the want of medical attendance in
those prisons—a neglect which reflected
the greatest possible disgrace on the au-
thorities by whom it was permitted. No
medical officer had been appointed to the
Fleet prison until the present year. The
hon. gentleman then read an extract from
the Report of the Prison Committee of
1814, complaining that there was no infir-
mery in the Fleet prison, nor any medical
attendants to administer to the wants of
the prisoners. As the case stood in 1814,
so it remained at the present day. The
recommendations of the committee had
not been attended to. What he most ob-
jected to was, that men and women were in-
discriminately confined in the same galleries.
Under this arrangement, if a woman entered
the prison with the least sense of decency,
in a very short time she must be inevitably
ruined. Night and day must she be ex-
posed to the most debasing scenes. The
committee of 1814 had recommended the
separation of the female from the male
prisoners; but the recommendation had
not been adopted, and the prison might be
considered as the largest brothel in the
metropolis. He had understood that it
was the duty of an officer of the Common
Pleas to visit the prison once a fortnight;
but, upon inquiry of the inmates, he learned
that this officer had not been seen there
until subsequent to the recent inquest.
The coroner upon that occasion, when it
was attempted to be shown that the de-
cessed had lost his life through exposure
to the air in walking the galleries, en-
des- voured to shut out all the evidence he
could; observing, that it was the system
of the prison which was in fault, and
ought to be looked to. Neither of the
prisons was adapted to the purposes they
were intended for; idleness was encouraged
in them, and consequently vice and immor-
tality. He was sorry to have detained the
House so long, but he had not detailed
half the facts (“No, no”). He hoped
hon. members would not have to experi-
ence the truth of this assertion; but there
were some persons pining in prison who
once had better prospects than some mem-
bers in that House. He hoped there
would be a fellow feeling. He had heard
of instances—which he should not mention
through fear of being personal—of indi-
viduals obtaining a seat in that House to
secure themselves from imprisonment.
The hon. member concluded by moving,
“That a Select Committee be appointed
to inquire into the state of the King’s
Bench, Fleet, Marshalsea, White-cross-
street, and Horsemonger-lane prisons, for
the reception of persons imprisoned for
debt and contempt of court, into the ar-
angement, rules, and regulations, made
for the better management of the same
since the Report of the Committees of this
House in 1814, and the Report of the Com-
missioners in 1818; also, to consider
of the operation of the laws authorizing
Imprisonment for Debt, and to report their
opinion thereon, together with the Minutes
of Evidence taken before them, to the
House.”
Mr. Hobhouse seconded the motion.
He said, he thought it was too large, and
might be advantageously divided into two.
The inquiry would not be so easy as the
hon. member seemed to think; but he
hoped that the other side would not deem
Imprisonment for Debt.

the proposition on that account inadmissible.

The Attorney-General said, it was not his intention, at that late hour, to follow the hon. member for Aberdeen through the long speech which he had addressed to the House. Upon the subject of arrest and imprisonment for civil debt, many eminent men had written. It was a subject which had engaged Dr. Johnson, who had made it the theme of one of his papers in the Rambler. The opinions there set forth were afterwards maintained by many eminent persons. About thirty years ago, the late marquis of Hastings introduced a bill for the relief of insolvent debtors. That bill was periodically introduced; but at the present moment a regular Insolvent act was passed, which was considered an improvement on that measure. He would not travel through the speech of the hon. gentleman who had introduced the motion, but there was one point upon which he must offer a few words; he meant as to the hardships which the hon. member seemed to conceive the debtor was under, on being arrested upon the allegation of a creditor. If the creditor falsely represented that another was indebted to him, could he not be indicted for perjury? As to the law of Arrest, it had prevailed in England for a century and a half. The individual, in the first instance, was not positively cast into prison, but was merely confined, to compel him to procure bail to have the trial carried on. The hon. member, he apprehended, did not object to imprisonment for debt after trial, but only before trial.

Mr. Humr.—My objection is to imprisonment at all for debt, whether before or after trial.

The Attorney-General.—That was an extraordinary proposition indeed. No person conversant with trade would listen to a proposition that imprisonment, after process, should be abolished. With respect to the sufferings to which persons who were imprisoned were subject, no man endowed with sentiments of humanity but must feel for the deprivations of those thus unfortunately circumstanced. Advertising again to the Insolvent Debtors' act, he was inclined to believe that, by that act, too much relief had been given to persons imprisoned for debt. He would go the length of the hon. member in lamenting that sufficient accommodation was not afforded to women who were incarcerated for debt in the particular prisons to which the hon. gentleman had alluded; but, if a committee were to be formed, what was the particular question to be agitated? Could imprisonment for debt be abolished before trial? Ought it to be abolished after? The motion before the House embraced so many branches, that he certainly should oppose it. If a committee were to be formed, what would be the particular propositions upon which they would be called upon to decide? Had the hon. member made out any case of abuse against the prisons? It was, perhaps, not generally known to the House, that with respect to the King's-bench prison, the late lord Ellenborough made a regulation, when he was chief-justice of the Court of King's-bench, that the marshal should reside within the walls of the prison. In the same manner did lord Kenyon act, with regard to the superior officers of other prisons over which he had control. The Insolvent Debtors' act, he would repeat, had been made, in too many instances, an engine of fraud. He perfectly concurred in the observations which had fallen from the hon. member for Westminster, that the subject embraced much too wide a field for the exertions of a committee; and he conceived, also, that the principle of arrest for civil debt could not be departed from with safety in a commercial country like this. He was ready to admit that if any means could be devised for alleviating the quantity of human suffering endured by persons confined in prison, it would be worth the while of the House to inquire into it; but this was very different from the proposition of the hon. gentleman. He concluded by saying, that he thought the hon. member had not brought the question before the House in a tangible point of view.

Mr. Calcraft conceived that his hon. friend, the member for Aberdeen, had made out a case for inquiry as respected the state of the prisons. Having said this, he would add, that he did not believe, in the present state of society, and in the condition of the country, that it would be prudent or proper to abolish imprisonment for debt. The object, too, of his hon. friend would not be answered if the committee were formed; for the subject was so very extensive, that it would be impossible to embrace all the branches. The law of arrest had been much softened by the Insolvent Debtors' act. That act had
undergone considerable improvement since its first introduction. The marquis of Hastings had been named as having introduced an annual Insolvent Debtor’s act, but how much better was it to have a permanent act, than one introduced annually. He hoped that his hon. friend would not press that part of the motion which embraced an inquiry into the law of arrest. He was sure that if an inquiry were set on foot into the state of the prisons, without going into the other parts of the subject which the motion embraced, much good would follow, and that many of those horrible evils which now prevailed would be removed.

Mr. Secretary Peel was not prepared, when he read the notice of the motion, to anticipate that so many subjects would be mixed up with it. The hon. member’s motion extended to an inquiry into a most important branch of the judicature of this country; as one of the propositions was, that a committee should be appointed to inquire whether imprisonment for debt should be abolished. To this proposition he most decidedly objected. But what remedy did the hon. gentleman propose? He had not suggested a single one to the House. It was not, surely, his intention to hold out to the creditor, that he should have no remedy against the debtor? The hon. member had stated the evils to which a person was subject who was cast into prison for debt; and he was perfectly willing to admit that such evils existed. But, in stating such an opinion, the hon. member had left out of his consideration the evils to which the creditor was subject. The privations of the debtor, the evils to which he was exposed, would operate to deter many persons from running into debt.—As to the subject of the inquiry into the state of prisons, it was a difficult thing to resist it, without having it supposed, that there was a desire to screen individuals. In the present case he would readily concur in that part of the motion which sought an inquiry into the state of prisons, but not into that part which went to investigate the subject of imprisonment for debt. With regard to what had fallen from the hon. member for Aberdeen, respecting the want of a medical gentleman in the Fleet prison, he begged to say, that he had appointed a surgeon, a Mr. Cooper, with a salary of 200l. a year, to attend both the Fleet and King’s-bench prisons. This gentleman was to attend the prisoners on both sides of the Fleet prison. He must, however, tell the hon. member, that he believed he was mistaken in many of the facts he had stated. He was inclined to think the hon. member had obtained his information from a very suspicious source; and he cautioned him not to rely on all that was communicated to him from the quarter to which he alluded. He had himself received many letters from a Mr. Jennings on this subject; and the inquiries he had caused to be made in consequence, convinced him that the statements in those letters were exceedingly exaggerated. On one occasion, it was stated, that a jury summoned to hold an inquest in the Fleet prison, had been previously made drunk. He had accordingly referred this matter to the chief-justice of the Common Pleas, who, upon inquiry, found that there was not a shadow of foundation for the charge. With respect to the state of the Fleet prison, he believed that at present no effectual attempt could be made to remedy its condition. If the revenue had been in a more flourishing condition, he intended to propose, that a great alteration should have been made in this prison. The city of London were desirous of having the site on which the prison stood, and had offered to give a more convenient piece of ground for the purpose of building another prison on. On consultation with his right hon. friend, the chancellor of the Exchequer, he had, however, found that it would be more convenient to postpone the measure to another year; and he had, therefore, been reluctantly compelled to do so. He had no hesitation in admitting, that the system of the King’s-bench prison was extremely defective; and if there was a vacancy to-morrow in the office of marshal, he should recommend its being done away with. The large fees amounting to 2,000l. or 3,000l. a-year were necessary in the present state of the prison; owing to the heavy responsibility and loss which the marshal sometimes sustained. He had been in constant communication on these subjects with the chief justices of the King’s-bench and Common Pleas, who, notwithstanding the pressure of public business, were always ready to give whatever assistance they could. They did not refer to the warden or marshal, but sent able and confidential persons who made satisfactory reports. He found it difficult to refuse the inquiry which the hon. gentleman had moved for; and if he would
be content to take a committee, the object of which should be limited by that of the former commission and committee, he was willing to accede to it; trusting to the hon. member for forming his committee, so as to ensure an impartial investigation into the subject.

Sir Robert Wilson instanced, as an example of the mischief of the system of arrest for debt, the case of a gentleman who was arrested, and in consequence of his inability to procure bail for 10,000l. suffered a long imprisonment, although it was afterwards proved that his arrest was wholly unjust. Surely it would not be impracticable to introduce some modifications, which would approximate the system to the law in France and in Holland; where there was no arrest, except upon bonds and bills of exchange, until after judgment. He would recommend his hon. friend to accede to the liberal proposition of the Secretary of State for the Home Department.

Mr. John Smith said, that when he was last in France, he had an opportunity of ascertaining that the prisons of that country were filled with persons confined for debt. The gallant general was also mistaken in supposing that arrests were not permitted by the law of France in the first instance; for in acting on bills of exchange, the creditor might throw his debtor into prison before the subject in dispute came to be tried. If the hon. member for Montrose went to a division, he would support it; because he believed the state of the prisons ought to be inquired into, and the law of arrest, particularly respecting the frauds practised by means of what were truly called sponging houses.

Mr. Alderman Wood supported the motion, and complained of the shameful state of the Fleet prison, which required immediate alteration. The unclaimed fund in the court of Chancery might, he thought, be employed for that purpose.

Mr. Monck recommended his hon. friend to leave to the Secretary of State for the Home Department that part of his proposition which related to an inquiry into the state of the gaols; but he hoped his hon. friend would not abandon the other very important branch of his motion; namely, the state of the law of imprisonment for debt. There were at present no fewer than seven hundred persons in prison in London, for debts under 20l. He thought it would be desirable to abolish arrest for sums below 20l.

The Solicitor-General conceived, that great benefit would arise from the renewal of a law which expired some short time since, prohibiting arrest for any sums under 15l. The direct benefits of this system would be great; but its indirect effects would be still greater, as the accumulation of law expenses, which were equally heavy upon small as upon large sums, would be thereby checked.

Mr. D. W. Harvey suggested to his hon. friend, that, owing to the advanced period of the night, and the empty state of the House, it would be prudent to withdraw his motion for the present, as that part of it which he wished to press was of such importance, as to require a more deliberate discussion than could now be given to it.

Mr. Hume said, that owing to the departure of the right hon. gentlemen opposite, he had no other course left than to withdraw his motion for the present. The Secretary for the Home Department did not deny that the state of the prisons called for revision, and as the right hon. gentleman volunteered to undertake the subject, he was quite willing to leave it in his hands. But he must deny that he wished to establish a system which would facilitate fraud, and injure public credit. He had no such object. His only wish was, to obtain information, by which he was confident he should be able to prove, that imprisonment for debt was cruel and impolitic; that it tended to facilitate fraud and to increase the number of debtors. It was not fair for the right hon. gentlemen opposite, if they did not choose to perform certain tasks themselves, to throw obstacles in the way of those who had the disposition to do it, even if they were not endowed with the same abilities. The right hon. gentleman had referred to the chief justices of the King's-bench and Common Pleas. Now, those learned individuals had been, for the space of ten years, with the instructions of the commissioners before them, containing twenty specific improvements of the law; and they had not yet taken a single step towards the realization of one of those suggestions. He left the measure in the hands of the right hon. gentleman; but with the declaration, that if there should be nothing done, he would again trouble the House upon the subject.

The motion was then withdrawn.
Spring-Guns Bill. 236

Wednesday, April 4.

Spring-Guns Bill.] Lord Suffield rose to move the order of the day for the second reading of the Spring-guns Bill. His lordship said, that in proposing the second reading, it would not be necessary for him to detain their lordships by entering into any arguments on the principle of the bill. He only wished to call to their lordships' recollection the bill which he had submitted to them on this subject two years ago. The present bill was exactly like the bill as he then brought it in, but not like the bill as it was amended by their lordships, and sent to another place. He wished to state, but only as a matter of history, that his motives for introducing that bill, prohibiting the setting of Spring-guns in woods and plantations, was to meet and remedy a practical evil. Several accidents had occurred from the use of spring-guns, but they had occurred principally in woods and plantations; and he had not then heard that any such accidents had occurred from setting Spring-guns in gardens. Since then he had heard of such accidents; and no longer ago than yesterday, a case had been mentioned to him, in which a gentleman had shot his own father. He would not mention any names; as the sufferings of the family had been sufficiently great. This was, in his opinion, a reason for prohibiting the setting of Spring-guns in gardens as well as in woods. Such instances were very few, and the great mass of the accidents arose from setting Spring-guns in woods. He was, however, bound, by the principle on which he had opposed setting Spring-guns in woods; and he would not object if any noble lord should propose to extend the principle of the bill, and prohibit the use of Spring-guns in any place. He had always contended, and by this principle, he would stand, that it was not legal for any man to do that per alium which he had no right to do per se. Indeed, he had never heard any valid arguments for setting Spring-guns in any place. Nobody had contended that it was just; but some persons had said that it was expedient. He knew that some noble lords were prepared to contend, that the bill was directed particularly against the sports of the country gentlemen. He could only say, that it was not so intended. The evil existed in woods and plantations, and to meet that evil the bill was drawn up. Any noble lords who proposed to extend its provisions might do so in the committee; to which he would willingly consent. Some noble lords might wish to make the prohibition general, with the exception of walled gardens. Against such an exception he would enter his protest. It would introduce a new law and a new punishment into the code of Great Britain—the punishment of Spring-guns, which was now unknown to our law. A man had no right to shoot another who trespassed in his garden, if he saw him: and he could have no such right to shoot him by an instrument, when he did not see him. It was a sneaking, assassin-like method of wreaking his vengeance, which no man could possibly encourage. He would not further detain their lordships, but just to remark, that it had been contended, in favour of Spring-guns, that they were in reality a greater good than evil, and that humanity gained more than it lost by setting them. This he must deny. Putting out of view the people shot by them—that a game-keeper, within fourteen days, had been shot by his own Spring-gun, in the county of Warwick, and within the same period a lad, who had gone into a wood to drive out some sheep, had, in another county, been shot in the middle of the day—he would contend, that the use of Spring-guns caused a mass of evil. These were cases of undeniable mischief; but he was also of opinion, that the conflicts which were carried on between game-keepers and poachers arose from the use of Spring-guns. Before the use of Spring-guns, such sanguinary contests were unknown. They were new features of the national character, and had been ingrafted on it by the use of such sanguinary instruments. Before they were introduced, there were broken heads, such as were got at fairs, but there was no bloodshed and no death. The keepers went armed with sticks, and were met by men with no other weapons. Shooting men by Spring-guns, however, had now taught them to shoot each other. Looking at Spring-guns as the origin of those sanguinary conflicts which it was said they prevented, he must contend, that the mass of suffering which they occasioned was very great. Supposing, also, that in these contests a poacher was wounded, the punishment fell on the guilty; but when Spring-guns were used, the punishment fell, in nine cases out of
ten (he believed he might say in ninety-nine cases out of one hundred), on the innocent. Even admitting, therefore, that the mode of protecting property was in any case justifiable, which, however, he did not admit, it protected property by punishing the innocent, and allowing the guilty to escape. Within three weeks there had been two instances of this, in the game-keeper and farmer's boy, to whom he had alluded. He should feel disposed to assent to extending the principle of the bill, and under these circumstances he hoped no noble lord would object to its going into a committee.

The Lord Chancellor did not certainly mean to object to going into a committee on the bill, but there was one point in it to which he wished to call their lordships' attention. He had not had an opportunity of examining the bill very closely, but he observed that it made it a misdemeanor to set Spring-guns, and other engines of this description, in particular places; and he did entertain a doubt, whether from this it would not be inferred, that it was not illegal to set them elsewhere.

The Earl of Malmesbury was of opinion, that prohibiting the setting of Spring-guns in particular places would have the effect of legalizing the setting them in other places. If the bill was founded on a just principle, as he thought it was, it ought to be made general. Setting Spring-guns was altogether objectionable; as it was not, under any circumstances, proper to destroy life by their means. The present bill was, in his opinion, imperfect in principle, and odious in operation. It was directed against one class of persons and one description of property. By another bill before their lordships, game was to be made property; and why was it not to be protected as well as other property? By what possible argument, also, could it be proved that woods were not to be protected? It was not more unjust and inhuman to shoot persons for breaking and stealing trees, than to shoot them for stealing codlins; and yet, the bill went to legalize one, and make the other penal. On the understanding, that the principle of the bill would be extended in the committee, he would not oppose the second reading. Two years ago, a bill had been passed for the protection of gardens; and if this bill were also to pass, the owners of gardens would have the power of shooting men, added to their other means of protection. By the one bill, a person might first be shot, and by the other he might afterwards be sent to prison. He would not oppose the second reading; but it would be with the special understanding, that the principle of the bill should be extended to every species of property. Humanity demanded it in one case as well as in another.

Lord Wharncliffe was also of opinion, that the bill ought to be extended. It would not go to the root of the evil, if it allowed Spring-guns to any situation. At the same time he believed, if the game-laws were not altered, that the bill would not be a benefit to humanity. The noble lord was quite mistaken if he supposed that no conflicts had arisen before Spring-guns were employed. He had had one of his keepers murdered before he had used Spring-guns. He had afterwards used them; and never since using them had he had any conflicts. The same had happened to other persons. He thought the bill ought not to be entertained, unless it was made general. If it was to be confined to woods and plantations, he should certainly oppose it.

The Earl of Carnarvon did not mean to oppose the second reading of the bill, but he wished, before their lordships proceeded to legislate, that they should know how the law stood at present. One judge was in favour of the legality of setting Spring Guns; another was supposed to entertain a very different opinion. Whether setting guns was at present justifiable, or whether the person setting them, and causing death by them, was guilty of manslaughter or murder, neither any unlearned nor learned person could give them any positive information. If in legislating on this subject, they declared that Spring-guns should not be set in some particular places, and left the law in its present state of uncertainty as to other places, their lordships would not do their duty. He wished that either the setting of Spring-guns should be declared unlawful at all places, or the exceptions specified. He, for one, was quite ready to prohibit the use of Spring-guns altogether. Or, if they were allowed in any place, he would confine the use of them to places within walls, and having locked gates, but not where occasional trespassers came. He hoped the question would be so disposed of, as that no person would be liable accidentally to suffer from others using Spring-guns.
Lord Suffield explained, that he had not originated this bill. It came from another place, and he had no power to alter it. He would willingly adopt the alteration suggested, of extending the principle of the bill; but he was not competent to alter it except by proposing amendments in the committee.

The bill was read a second time.

HOUSE OF LORDS.

Thursday, April 5.

Spring-Guns Bill.] Lord Suffield moved the order of the day for going into a committee on the Spring-guns Bill. Their lordships immediately resolved themselves into a committee. The noble lord said, that, in consequence of what had passed yesterday, he should propose to make the bill general. With this view he should move, as an amendment, that the words "woods and plantations" be excluded from the bill. He should also propose that the word "declare" be added, in order to make the law declaratory as well as enacting.—These amendments were agreed to.

Lord Ellenborough objected to the use of the word "engine" as too general.

Lord Suffield, in justifying the use of the word, said, that their lordships were not aware of the numberless contrivances employed to protect game. It was customary with poachers to drive cattle before them into the woods, or shove long poles before them, by which they discharged the Spring-guns, without running the risk of injuring themselves. They then took away the Spring-guns. A friend of his, a very ingenious gentleman, who had been served in this manner, contrived to attach a shell to the Spring-gun, so that those who took up the Spring-gun, after it had been discharged, without knowing the nature of the contrivance, discharged the shell, and were blown to atoms. He had also contrived a shell to be attached to the bough of a tree; which went off under certain circumstances, and injured those who were near it. Their lordships were aware that it was customary in some places, to fix a wooden pheasant to the bough of a tree, with a view to attract the attention of the poachers. They fired at it frequently; which gave the keepers time to come up. This gentleman, how-

ever, attached a shell to such pheasant, and when it was struck by shot it fell from the bough, and in its fall, by its own weight, it pulled a trigger and discharged the shell. Such engines were very dangerous. They might be blown down and be discharged by a high wind: they might injure ladies and gentlemen riding through woods: and it was to prevent the setting of such diabolical engines of mischief as these, that he thought it necessary to preserve the word engine in the clause. He could mention other contrivances; but he thought these were enough to make their lordships see the propriety of retaining the word. If some general word of this description were not used, new instruments might be invented, which would escape the penalties sought to be imposed by the bill. The objection was accordingly not urged.

It was then proposed by lord Ellenborough, that the words "calculated to destroy life and inflict grievous bodily harm," should be left out; with a view of making the mere setting of Spring-guns with an intention of inflicting injury on trespassers, a misdemeanour.

Lord Suffield objected to the amendment, as going to destroy the bill.

Lord Holland thought it would be excessively difficult to convict any person, if the crime was made to consist in the intention. If the words were left out, the object proposed by the bill would be lost. He was prepared cordially to support the bill, understanding that it was intended to visit with legislative condemnation the practice of placing such diabolical engines in any man's grounds.

Their lordships divided: for the original clause 21, against it 13.

The Marquis of Lansdown expressed his hope that in the progress of the measure, the noble lord would introduce a clause to exempt from its operation Spring-guns set in dwelling-houses; and that on a principle similar to the general principle of the bill. The general principle of the bill was, that no man was justified in doing that by a machine or engine, which he would not be justified in doing personally; but any man was justified in personally shooting a house-breaker; therefore he would be justified in devising the means of shooting him by a Spring-gun.

The House adjourned.
EMIGRATION COMMITTEE.] Mr. Baring presented the report of the committee appointed to inquire into the subject of emigration. This duty, he observed, had devolved upon him, in consequence of the indisposition of the chairman of the committee. He strongly recommended the report to the attention of the chancellor of the Exchequer, and trusted that the right hon. gentleman would dispose of this important subject as soon as possible. The present was not a final but a special report, and the measure which was proposed in it, he thought it right to state, was recommended unanimously by the committee. It was proper that the question should be quickly decided, either one way or other; as there were, at this moment, a number of poor individuals kept in suspense in consequence of their uncertainty as to the intentions of government.

The Chancellor of the Exchequer said, he was not unaware of the tenor of this report. The hon. gentleman had yesterday communicated to him, that it would be presented in the course of the present evening, and that certain propositions had been founded on the evidence taken before the committee. He could assure the hon. gentleman, that he had lost no time in endeavouring to make himself master of the facts detailed in the evidence. That evidence he had received last night, and he had read himself almost blind, without being able to get through it. Whatever might be the opinion which he had formed upon the subject, he thought the hon. gentleman could not expect him to state that opinion, until the House should be put in possession of the same opportunity which had been afforded to him, of becoming acquainted with the nature of the evidence.

Ordered to be printed.

MODE OF TAKING THE POLL AT Elections.] Colonel Davies rose to make his promised motion, for a select committee, "to inquire into the Mode of taking the Poll at Elections for Cities and Boroughs." His object, he stated, was to do away, as far as possible, the system of bribery and corruption, of outrage and lawless violence, which frequently prevailed at such elections. Understanding that no opposition was to be made to his motion, he did not think it necessary to enter at any length upon the subject at present; but he might observe, that the measure which he had in view would rest very much upon the same foundation as that of the resolutions or bill proposed by a right hon. gentleman, but with some difference. One objection to the law, as it stood, was, that the voters were confined to one place of polling, except where different booths were established by compact among the candidates. It was well known to those who had been candidates at elections, that there was often a great rush to the place of polling where there was only one, in order to place a favourite candidate high upon the poll as soon as possible, and that such struggles were often made at the risk of life; and he himself would mention an instance during the last election for Coventry, where six hundred and fifty had polled for one candidate, while only thirty had polled for another—the difference arising solely from acts of outrage perpetrated by the supporters of one side. His object was to afford greater facility to the polling, and to put a stop to bribery and treating. For this purpose, some alteration ought to be made in the mode of polling, by appointing a separate booth for every distinct parish, or more than one booth for a parish where it happened to be very populous. It might be proper to consider, whether the polling for cities and boroughs might not be closed in six days, and whether it should not be closed unless a certain number to be specified polled in a day. He felt it unnecessary to make any further suggestions at that time, and concluded by putting his motion as above.

Mr. G. Robinson seconded the motion. He thought that if the House could lessen the expense attending these elections, it would be conferring a great benefit on the country. For the purpose of effecting that object, he wished the electors who resided at a distance from the city or borough contested, to give their votes at the places where they lived. He saw no other mode except this, by which the immense expense attending those elections could be avoided. As to shortening the time for keeping open the poll, he did not approve of it. If the poll were to close, because, on any given day, a certain number of electors did not vote, it might prevent many individuals from expressing
their opinion as to the member, who, according to their view, was most worthy to represent them.

The motion was agreed to, and a committee appointed.

**Irish Miscellaneous Estimates—**

*MOTION FOR A SELECT COMMITTEE.*

Sir J. Newport, in rising to propose, that the Irish Estimates be referred to a Select Committee, observed, that if his motion were at all likely to interfere with the bounty of parliament, he would be the last man to bring forward the proposition which he was about to submit to the House. Ireland had, from time to time, received many benefits from the grants that were made in parliament; but while he admitted this, he was sensible that the manner in which those grants were given, and the little opportunity allowed for entering into the details, deserved notice and correction. Care ought to be taken, that what the legislature bestowed should be directly appropriated to the object for which it was intended. Those grants ought, in his opinion, to undergo that examination in a committee above stairs, which it was quite impossible, from the way in which they were introduced, they could receive in that House. The first article he found entered on the estimates was the charter schools. Some years since the report of the commissioners appointed to examine into the state and condition of these institutions, developed abuses of such a nature, as to call down the reprobation of the House; and he then supposed, that it was the determination of parliament to bring those institutions as speedily as possible within a certain prescribed limit. It was then proposed, that the children in those institutions should be apprenticed, and got rid of. This had not been done; though, he believed, they were infinitely beyond the age at which they ought to have remained in these schools. This was an important object for inquiry. And how, in that House, could a proper inquiry take place? It was quite impossible; for, if he got up and stated any particular circumstance relative to any given school, it was met on the other side, by a positive denial, and no opportunity was given for ascertaining the real truth of the matter. This could alone be arrived at in a committee. The sum which was proposed for the Linen Board was 10,000L less than was voted last year; but nevertheless the House was bound to inquire upon what principle the reduction had been made. In the estimate of the Kildare Society for education, a reduction of 5,000L. had been effected last year. The estimate thus reduced, namely 25,000L., was again proposed this year. It was stated, in a report which had been issued by that society, that finding they could not maintain their establishment on its former footing with the reduced estimate, they represented their case to the Irish government, who, after some investigation, gave them 5,000L out of the treasury. He thought that the government in this proceeding had exceeded its powers; for he doubted much whether that transaction came within the purview of parliament. The right hon. baronet, after complaining that the commissioners for inquiring into the state of education were too tardy in reporting the result of their labours, moved "That a Select Committee be appointed to consider the Estimates presented to the House, for the Miscellaneous Services of Ireland, in so far as relates to the sums intended to be voted for the purposes of Charity and Education; and to report their observations and opinion thereon to the House, as well as respecting the nature and utility of the establishments for which the same are recommended to be granted."

Mr. Curtis seconded the motion. He considered it hard that the people of this country should be taxed to support establishments in Ireland, unless they were clearly shown to be useful. He saw that in the Cork establishment for education there were professors of botany and mineralogy. Now, what on earth, had the poor people of Cork to do with botany and mineralogy.

The Chancellor of the Exchequer admitted that it was of importance to bring all these votes within the narrowest possible compass. He and his right hon. friend, the Secretary for Ireland, had acted upon that principle, and the result was a reduction in the estimates for this year, as compared with those for the last, of upwards of 50,000L. This at least looked as if there existed a bond fide intention on the part of government of enforcing economy. The House would, perhaps, bear with him whilst he very shortly adverted to some of the points which had been touched upon by the right
hon. baronet. With respect to the char-
ter schools, he could take upon himself to
say it had been resolved to let them ex-
pire of themselves. No new scholars
would in future be admitted, and those
already in the schools would be appren-
ticed to different trades as soon as pos-
sible. By these means the number of
those schools would soon be gradually re-
duced, and only so many would be allowed
to continue in existence as could be main-
tained by their own exclusive funds;
which amounted to about 7,000l. per
annum. The various other societies which
had been alluded to were already under a
course of examination by commissioners
appointed for the purpose; and he thought
it would be inexpedient and unnecessary
to subject them to a second inquiry, until
the report of those commissioners was
before the House. As to the Linen Board,
he could assure the House that it was the
last time of its appearing on that stage.
The abolition of that establishment was
resolved on. Ministers had the strongest
disposition to curtail unnecessary expenses
with respect to these estimates, and no-
body could long more than he did for the
adoption of some general plan regarding
body could long more than he did for the
of gross abuse. The charter schools of
wholly fraudulent. The system was one
and 800,000l. He wished to know if
he could take upon himself to
there would
of examination by
commissiouers
inquiry, it would have the
whole reports would be brought under the
consideration of the House. He objected
to the motion of the right hon. baronet,
because, under the character of a financial
inquiry, it would have the effect of pre-
maturely bringing the subject of Irish
education before a committee above stairs,
when the commissioners had not yet con-
cluded their labours. He objected to
introducing theological subjects in that
House; but the Allusions which had been
made to the part he had taken, as one of
the commissioners, rendered it necessary
for him to make one or two observations.
The Belfast Institution was not, at present,
upon the list of those institutions which
received any thing from the public; but
he could assure the hon. member opposite,
that there was not one of the commiss-
ners more anxious than himself to see
parliamentary assistance extended to it. This institution was devoted to the education of the children of persons belonging to the Presbyterian church in Ireland. Now, it so happened, that out of five professors at this institution, three professed opinions considered objectionable by the orthodox members of the church to which they belonged; for he believed that Presbyterians generally—and he was sure that the Presbyterian church of Scotland, in particular—shrank with abhorrence from the doctrine which denied the divinity of Christ. Under these circumstances, he and another of the commissioners, had felt it their duty to recommend the government not to grant any portion of the public money to this institution, unless security should be given, that in the future appointment of the professors of this institution, no persons holding these objectionable opinions should be introduced into the establishment.

Mr. J. Grattan maintained the expediency of submitting the grants to a committee above stairs. The Presbyterian system displayed so many advantages in Scotland, that he was happy to see it extended to any other country, and more than any other to Ireland, where he hoped to see it flourish and receive the countenance and assistance of that House. There were many items in the accounts, which deserved quite as much censure as any which the right hon. baronet had mentioned, and he trusted he would see the propriety of making no distinctions among them, but at once determine to move, that the whole be submitted to the consideration of a committee.

Mr. Hume said, he was anxious to see the Irish estimates reduced as far as was practicable, and would co-operate in any measure with that view, which could be usefully and successfully adopted. He would call the attention of the House to a few of the items of these estimates, and ask if it was prepared to vote large sums of money to be appropriated in the manner proposed. The first item to which he would call the attention of the House, was a charge for the maintenance of one thousand nine hundred and eighty-three children. It was but four years ago, that the Secretary for the Home Department, admitted that the grant ought to be reduced as speedily as possible. Now, let the House observe what were the ages of these "children," as they were called. Of the list of one thousand nine hundred and eighty-three, there were no fewer than six hundred and nine above the age of thirteen years; two hundred and twenty nine were from thirteen to fifteen; one hundred and seventeen were from seventeen to nineteen, and a great proportion between nineteen and twenty-one. So that, in fact, there were six hundred and nine persons of an age fit to be apprenticed, and a large grant was to be appropriated, not for the education of children, but of grown persons. There was another grant to which he would call the attention of the House. This was the Foundling Hospital for which 34,000L was proposed. But four or five years ago, the Secretary for the Home Department declared that this grant was against principle, and the Secretary for Ireland said, that no more children should be received; yet since those declarations and promises, three hundred and fifty infants under one year of age, and one thousand five hundred from one to five years of age, had been admitted, contrary, as had been avowed, to principle. Then there was the expense of proclamations. For this object, a sum of 5,800L was demanded, while it could be shown, that two-thirds of the sums thus expended went for the support of certain newspapers in Ireland, instead of for any purpose of the state. In printing, also, great expense was incurred by the system of monopoly which was allowed. One individual, sir A. B. King, enjoying all the emoluments arising from this employment, instead of the work being done by tenders, in which way it could be executed for half the amount, 34,000L was the charge for printing the Statutes in Ireland, which sum, or a great portion of it, might be saved by sending over copies from this country, instead of having new and distinct editions printed there, at an enormous and useless expense. If such items of expenditure as he had read were once sent to a committee above stairs, he was certain that the estimate might be reduced many thousand pounds. He hoped, therefore, that the right hon. baronet would not withdraw his motion, or make any exceptions with regard to any particular items.

Mr. Frankland Lewis objected to any vote that would pledges the House to inquiries which it could not satisfactorily make, until it was in possession of those documents upon which the estimate was
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founded, and upon which the members, composing the commission, had felt themselves bound to recommend the continuance of some of the grants. He conceived that the inquiry proposed was calculated to distress the feelings of those individuals who composed the commission, and who, he thought, entitled to so much courtesy and kindness, as to be allowed time to lay before the House the reasons and the facts, upon which they grounded their recommendation to support the institutions for the diffusion of education in Ireland. If they waited but three months, in which time he was convinced the report would be ready to be laid on the table of the House, they would see the reasons which had influenced the commission in the course they recommended; and he really did not see how the House could come to any just conclusion upon the estimates, or act fairly towards the commissioners, unless they waited to learn the grounds and the evidence upon which they formed their opinion. It was impossible for the House to understand such a vote as that for the Foundling Hospital, for instance, without being in possession of the documents connected with, and, at the same time, taking into consideration the state of society in Ireland. There were two things to be regarded in the administration of aid to Ireland—the necessity of the case, and the economy to be observed in the applications to that necessity; and he could assure them, that the commission, of which he formed a part, had considered economy to be indispensable in the recommendations of the expenditure. To judge of the propriety of their recommendations, he repeated, was impossible, unless the House had before it the evidence on which the recommendations were founded. It was, indeed, impossible to decide upon the propriety of some of the items, unless by an inquiry in Ireland itself. The great point to be maintained was, to give aid to education in Ireland in the most effective manner, and with the least possible expense; and he was happy to say, that the commissioners had already signed three reports, unanimously. Two of the commissioners differed from the others upon another report; and he would say again, that it was impossible for the House to understand the subject before them, on the grounds of the difference between the commissioners, until they were in possession of the facts upon which they formed their opinions. He was happy to say, however, that they had put themselves in possession of the means of adopting practical remedies for many of the evils which had been most justly made the subject of complaint; they had overcome many, if not all, of the difficulties which impeded inquiries such as theirs, in any country, but more particularly in Ireland; and he implored the House not to let the work out of their hands, when it was nearly completed, or to pronounce upon what they had done already, a hasty and ill-founded decision. It had been said, that the same thing proposed for charter schools was too much. Who was to be the judge of that at present? Who could tell whether the course they proposed was right or wrong, until they saw from the report what was the state of those schools? It was not at that moment in his power to state the reasons which influenced the commission in their recommendations. He, as well as the other members, could not divulge the evidence until it was embodied in the report, which must be laid at once before the Throne; and he contended, that no time could be so little fitted for any inquiry, as that time which immediately preceded the period when the report was to be laid before the Throne, and communicated to the House. —The hon. member then referred to the difference between himself and the two commissioners, upon the subject of the Belfast Academical Institution, declaring, that however the matter might terminate, or however it might be decided, no result could compensate him for the pain he had endured from that difference of opinion. Three of the commissioners had declared themselves in favour of the grant to that institution. Two had declared against it; and how, he would ask again, could the House determine who was right or who was wrong, without a reference to the appendix of the report, where they would see, by the comments on the facts, the reasons which influenced the decision in one way and the other? When the House saw the report and the appendix to which he alluded, containing the opinions of those persons in Belfast who were best acquainted with the subject, they would see on what grounds the commissioners formed their opinions, and be able to decide what to do with the Belfast Institution. He would not now go into any defence of the course he had adopted on that occasion. That was not the time
to justify his conduct; but whenever the matter came regularly before the House, he would be prepared to defend and to explain the vote he had thought it his duty to give, with respect to the institution in question. The hon. member concluded, by implying the House to wait until it was in possession of the means of information, before it determined to inquire.

Mr. Brownlow said, he wished to make one or two observations respecting the institution in the north of Ireland, of which so much had been said, in order to enable the House to judge how far the hon. member for Louth (Mr. L. Foster) was or was not right in the decision he had pronounced. There were in the Belfast Institution several professors, and he would take the liberty to read a list of them. There was a professor of natural philosophy; a professor of moral philosophy, and professors of mathematics; of logic and belle lettres; of anatomy and physiology; of Greek and Latin; of Hebrew; and two professors of divinity. Mr. Cooke and Mr. Haller both declared, that they never knew the professorships of the institution more ably filled than at present, nor its members so little tainted with evangelical principles. The latter gentleman said, that of twenty-eight young men in one class, there was only one who professed the doctrines of Arian. The hon. member, after some allusions to the separation of the Presbytery of Antrim from the general Synod of Ulster, declared it to be his conviction, that he spoke from intimate knowledge, that there never was any institution better suited to the wants and wishes of the people than that school to which he alluded. The people of the north of Ireland were divided into a great many religious sects, and no place of education was better fitted to gratify all their desires; for it ought to be recollected, that the great object to be attained in the choice of professors for such an establishment, was not in accordance with religious opinion, but pure and strictly moral rectitude of conduct. He felt himself bound to support the motion, not only because it went to inquire into the lavish expenditure of the public money, but because it proposed to inquire into the improper expenditure of that money in Ireland—the land of every kind of abuse, corruption, extravagance, and malversation. He hoped the right hon. baronet would not be induced to refrain from pressing for an inquiry.

Sir J. Newport briefly replied, and adverted to the different topics urged in opposition to the motion. It had been contended, that the children were to be maintained in the Charter Schools, because no opportunity occurred of placing them out to trade. But, did the House know why they remained in that manner upon the foundation of the school? Why, because they were so badly educated that no one would take them for apprentices. So that, although the House paid enormous sums for their education, they never received any which could enable them to advance themselves in the world. Was not this a fit subject for inquiry? It was said, that these persons might still be taken as apprentices; but he did not think it very likely that any one would take those young men, at twenty-one years old, whom they had refused at sixteen. The Charter Schools, it ought to be recollected, were already inquired into. The right hon. baronet then alluded to the item for the support of the Society to Discountenance Vice, and observed, that one of the sums of 1,000l. for raising institutions and model schools, was for the purpose of educating a number of young men, to fill the situations of parish clerks and schoolmasters. With regard to the Belfast institution, he considered it one of the best establishments in the country; and when gentlemen told him, that the professors, who were imbued with Arianism, wished to tamper with the faith of those placed under their care, he would say, so far was this from being the case, that he knew an instance of one of those gentlemen, a most respectable man, one of whose sons was a clergyman of the church of Ireland, and the other was attached to the Presbyterian Synod of Ulster. This did not argue such a disposition on the part of those professors as had been alleged.


List of the Minority.

Althorp, vic.  
Archdeckne, A.  
Barclay, C.  
Baring, A.  
Baring, F.  
Baring, W. B.  
Birch, J.  
Brownlow, C.  
Calcraft, J.  
Calvert, N.  
Clements, Vic.  
Clive, E. B.  
Colborne, N. R.  
Curtis, E. G.  
Dawson, A.  
Davies, T.  
Davenport, E. D.  
Ebrington, vic.  
Easthope, J.  
Euston, earl of
Court of Chancery.

Faskary, J. N.
Ferguson, R. C.
Grattan, J.
Grattan, H.
Grosvenor, gen.
Gordon, R.
Guise, sir B. W.
Guest, J.
Harvey, D. W.
Heathcote, G. J.
Howick, visct.
Hume, J.
Ingleby, sir W.
Jephson, C.
Kennedy, I. F.
King, hon. R.
Lamb, hon. G.
Lauder, T. B.
Langston, J. H.
Lombe, E.
Maberly, J.
Maberly, W. L.
Marshall, W.
Mantle, hon. W.
Moxon, J. B.
Morphet, visct.
Newport, sir J.
O’Brien, L.

Parnell, sir H.
Ponsonby, hon. W. S.
Ponsonby, hon. G.
Portman, E. B.
Pryce, F.
Price, Robert.
Rickford, W.
Robinson, sir G.
Robinson, George.
Russell, lord J.
Russell, lord W.
Rumbold, C. E.
Smith, J.
Smith, W.
Stuart, H. Villiers.
Stanley, hon. E. G.
Sebright, sir J.
Thompson, C. P.
Tierney, rt. hon. G.
Tomes, John.
Wall, C. B.
Warburton, H.
Webbe, Ed.
Wood, ad.

TELLERS:

Dundas, visct.
Rice, T. S.

APRIL 5, 1827.

Mr. D. W. Harvey said, that it was only within the last five minutes he had been apprised of the intention of the law officers of the Crown to oppose the motions of which he had given notice; and he was at a loss to conjecture on what grounds this opposition could be given. The House would recollect that the bill for regulating the practice of the court of Chancery, had been deferred to the 4th of May, when doubtless a long and important discussion would take place; but he would venture to assert, that no satisfactory result could flow from that debate, in the absence of the information sought for by his motions. It was not to be denied that the proposed bill contained many useful reformations in the practice, and some commendable curtailments in the expenses, of the court; but these were altogether subordinate to the crying evils arising from the delay in disposing of the causes when matured for hearing. It was little consolation to a patient to be brought to the physician’s door in a sedan, if he waited for hours before he could obtain a prescription: and how was it possible for the House to provide a remedy, unless it was in possession of the nature and extent of the evil? This information would be supplied by the motions he now intended to make; and he should reserve himself in reply to such arguments as ingenuity or perversion might suggest. The hon. member then moved as follows:—“That there be laid before this House returns of the number of causes set down before the lord Chancellor, from the year 1820 to the present time, specifying when they were set down, how disposed of, how many were referred to the master, and their final result. Similar returns from the master of the Rolls, the vice-chancellor, and the chief baron in Equity. The number of appeals to the chancellor from the judgments of the master of the Rolls—also, from those of the lord Chancellor to the House of Lords. The number of petitions in bankruptcy, and in lunacy, now standing in the paper of the court—and finally, a statement of the number of original causes, further directions, exceptions, pleas, demurrers, re-hearings, appeals, and causes on the equity reserved, standing to be heard on the last day of Hilary Term, 1827, before the lord Chancellor, the master of the Rolls, and the vice-chancellor, respectively; specifying the period when each petition was set down.”

Mr. Attorney General said, it was apparent that under the cover of this motion, the real object was to make an attack on the lord Chancellor. The return for which the hon. gentleman moved was not at all calculated to further this object; for even if it should be shown that the lord Chancellor had not disposed of many causes, it did not follow that his time had not been otherwise fully, and to the public, satisfactorily exercised. This subject had already been sufficiently handled by the report of the parliamentary committee, who had stated in the appendix to their report, the business done by the lord Chancellor, de die in diem. A motion similar to that now before the House had been made some time ago, by the hon. member for Westminster, who afterwards, on the matter being explained to him, gave it up; because he was convinced that no returns of the number of causes in the court of Chancery could inform him of the quantum of business done there by the judge. It was, then, because the information when obtained could not be satisfactory; because the commissioners had not thought it necessary to give it in their report, and because nobody but the hon. gentleman had thought it necessary
to enable the House to form an ultimate opinion on the bill brought in by the master of the Rolls, that he opposed it.

Mr. M. A. Taylor said, that at that late hour of the evening it was not his intention to go at any length into the subject of the court of Equity, or into any of the momentous matters which that subject involved. Until he saw the notice of this motion, which was inserted in the order-book of the House, he had received no intimation of it; therefore, as to any attack which was to be made, by means of it, upon the lord Chancellor, he was perfectly guiltless. He begged, however, the attention of his hon. and learned friend, the attorney-general, while he said, that if he (Mr. Taylor) was the friend of the lord Chancellor—as he was sure he was not his enemy—the last thing he could have done would have been to rise in his place and resist the motion which had just been made. He thought that if, upon any occasion, a judge was attacked, it was the duty of his friends to bring before the House all the facts relating to his conduct, so that a decision might be formed, whether the attack had been made fairly or unfairly. The motion before the House, without being at all an attack upon the lord Chancellor, was calculated to give the House the knowledge necessary to be possessed by them, before they came to a decision on some questions of great importance, which were about to be brought before them, connected with the court of Chancery. The returns would particularly furnish the House with the means of judging whether the lord Chancellor had or had not more business to do than it was possible for him to perform; and whether the duties of the court of Chancery had been properly discharged. If the returns were to be satisfactory administration of justice to which they were entitled. The House would then be enabled to say—the subject being fairly placed before them,—whether the lord Chancellor's duties were such as ought to be imposed upon him. There could be no blame imputed to the Chancellor, if it were shown that the delays in his court arose from his having—as he would on some future occasion, show he had—more to do than it was in the power of any human being to dispose of. In this House, he and every other member had a right to know what was the nature of the Chancellor's duties, and the manner in which they were performed. Was there any libel in inquiring into these facts? He denied that there was any libel. Was the truth to be called a libel here, as it was held to be in a court of common-law? In the House of Commons every member had a right to say that which he believed to be the truth; and to demand such information as might lead him to ascertain the truth. If it were not so it would be better to shut the doors, and quit the House. He wished to say nothing unkind of lord Eldon. If any unkindness had been displayed towards him, it had proceeded from himself and his friends, who wished to secure to him the emoluments for duties which he did not perform. He had known lord Eldon for more than forty years, during a part of which period he had lived in habits of intimacy with him; and in no part of which period had any unkindness on either side disturbed the good understanding between them. Looking at this matter, however, in a public point of view, he would ask the House, if any friend of the lord Chancellor ought to resist this motion? If he were in the place of the learned lord, he would wish for no such defenders as sought to conceal his conduct. If his hon. and learned friend, the attorney-general, should sit, as his talents entitled him, and as he had no doubt he would one day sit, in an exalted station as the noble lord now filled, would he choose to have such defenders? On the contrary, would he not wish to have all his actions thoroughly investigated? His hon. and learned friend had said, it was unfair to judge of what the lord Chancellor had performed, by moving for returns respecting a particular branch of his duty. It was fairer, said his hon. and learned friend, to form a judgment, from the whole of what he performed. Why? This was the very ground of the present motion. It was to get the whole of his conduct investigated—to get all that was done, and omitted to be done, in the court of Chancery, that the returns, which were now required, were moved for. Then the House would be able to form a judgment what part of the business might be separated from the court of Chancery. If he could not exercise his jurisdiction in bankruptcy cases, consistently with his other functions, why might not that be separated from his court? He did not speak now of the emoluments of the office.
of the lord Chancellor; but either that portion of his business, or some other, should be transferred to another tribunal if he could not get through the whole. It was said that the office of lord Chancellor was the first prize in the profession; but, if all the business could not be done by him who had won the first great prize, why, for the benefit of the public, should there not be two great prizes, and part of the present duty apportioned to him who attained it? For his own part, from his advanced time of life, as well as from political circumstances, he had long since abandoned any hope of professional advancement; and, indeed, if he had held any official appointment on the opposite side of the House, in the state in which that side of the House now was, he would pray to God that he might get rid of it as soon as possible. There were two great parties upon the present question. The one were anxious for concealment, the other were advocates for investigation. For his part, he would always vote for letting in light upon all subjects; and more particularly upon that now before the House. It was impossible for the government much longer to screen the court of Chancery; it was not only too deeply steeped in abuses, but its sins were too well known to the people. He begged those who wished to cleanse the court of its impurities, to persevere in their efforts. The public voice was with them. Whatever the phalanx on the opposite side might arrange against him, he would not cease to show the court up in the way in which it ought to be shown. Hundreds and hundreds had been ruined by the court; and the right hon. gentleman opposite knew the fact but too well. He did not see why the property and happiness of many hundred persons should be sacrificed, merely that lord Eldon might be continued at the head of a party. The safety of the suitors in that court, the benefit of the whole country, required the removal of the learned lord; and, as far as his time and abilities could tend to effect that object, he would most willingly give them. It might be said, that he was libelling the learned lord. In this sense, every newspaper in the country was guilty of the same offence; for not one was published that did not contain cases in that court, the facts of which militated against the learned lord, as strongly as any thing he had uttered. It was only about three weeks ago that his lordship had given a certain judgment. It appeared by the newspapers, that the counsel all stared with astonishment. They had forgotten the case; but of course they bowed, and said, "My lord, no doubt the judgment is right." But lord Eldon afterwards declared that his judgment had been wrong; on which the counsel again stared, and bowed, saying, "My lord, no doubt your judgment was wrong" [a laugh]. He had read the Report of the Chancery Commission, and he could hardly believe it possible that so many men could have lent their talents for two years to form such a report. The report was useless, a mere nonentity, with the exception of one single thing relating to the masters, and which the Chancellor himself ought to have effected twenty years ago. He would have opposed the establishment of the commission, could he have foreseen what materials their Report would have been composed. The right hon. the Secretary of State, thought that the report would do good; but he little knew the nature of the commission, and as little did he know the nature of the man. His lordship might be a very pleasant man, but mark his words, the learned lord would get the better of the right hon. gentleman. He hoped his lordship had no unfriendly feeling towards him (Mr. Taylor); for he had none towards his lordship. He had often taken the liberty of talking and walking with his lordship; and his lordship had as often explained to him two or three things in the practice of the court of Chancery with which he did not concur. Perhaps this might make his lordship think him a very foolish fellow. He might be foolish; but he had sense enough to know right from wrong, and in his appreciation of his lordship and of the court, the country went with him. The motion of the hon. member for Colchester could possibly do no mischief; for it was essential that the House and the country should see what the court of Chancery had done, and how the lord Chancellor had been torn away from his duties. If the Secretary of State knew the miseries which had arisen out of the delays and errors of that court, he would not consent to purchase lord Eldon as a cabinet minister at such a price.

Mr. Secretary Peel said, he must confess himself a little surprised at the course which the hon. member had taken, and at the
The hon. member, in the course of his speech, had stated that his object was to separate all political functions and feelings from the duties of a lord Chancellor. This might be a very legitimate and proper object; but it was strange to see, after such a declaration, how the hon. gentleman could make such a motion a source of reflections upon the lord Chancellor. Whether an active partisan and political functionary ought to hold the great seals, was a constitutional question, which certainly ought not to be discussed upon the present occasion. It was evident, when the hon. gentleman had given notice of his motion relating to the Chancery, and which he had fixed for the 25th March, that he did not think it necessary to possess the information which was now called for by the hon. member for Chester. The conclusive fact was, that the House was already furnished with the information required by the motion, in the report of the commissioners. If the House were prepared to say, that that commission was entirely futile, let them supersede its labours. He would maintain that that was the legitimate and fair view of the subject. Yes; he would say, supersede the commission, and call for further inquiry. The subject would be discussed immediately after the holidays; and therefore it was only fair to the lord Chancellor to postpone the present motion, until after the debate upon the bill brought in by the master of the Rolls. He held in his hand the return of the business heard and disposed of by the lord Chancellor in the court of Chancery, from Trinity vacation, 1822, to Michaelmas vacation, 1825. This return had been moved for by the learned member for Lichester, who had considered it to contain all the information necessary to the subject. If hon. members would refer to page 1,121 of the report of the Chancery commission, they would find a detailed statement of the occupation of the lord Chancellor for three years. He did not mean to say that the object of the hon. member was a personal attack on the lord Chancellor; but he did say, that the motion was a reflection upon the report of the commission, and that such a proceeding was placing the judges of the land in a very embarrassing situation. [No, no.] He did think so; and he had a right to state his opinion. It was a hard thing for the lord Chancellor to have his conduct thus inquired into, after he had furnished a statement of his daily business for three years; it was humiliating to that noble judge to be called upon daily to answer motions made in that House, before it had been decided whether the report of the commission was satisfactory or not. Without imputing to the hon. gentleman what he did not intend, he would oppose the motion; because it placed the lord Chancellor in a situation in which he ought not to be placed, after what had passed.

Mr. Ferguson denied that the present motion was a personal attack upon the lord Chancellor. He had read the report, with the appendix. If the information now required was not to be found in that report, it ought to be produced ["It is not there," from all parts of the House]. The present motion concluded with a return of the number of cases referred by the lord Chancellor to the Vice-chancellor. This was not contained in the report; and it was most material information for the House to possess. In 1814, the Vice-chancellor's court was established. It was a new jurisdiction, but dependent on the lord Chancellor. The Vice-chancellor was now about to have an original jurisdiction; and was it not most important for the House to have full information upon the business transacted in that court? It was useful to see how the lord Chancellor was drawn away from his business by the vice-chancery court. The report of the commission comprised a body of valuable information; but was it not material to have the means of deciding what part of the judgments of the Chancellor might be transferred to other tribunals? If it should turn out, that nearly all the causes in the chancellor's paper were transferred to the Vice-chancellor, it would be much better that the system should be changed. The number of appeals in the House of Lords was another important subject, which it was necessary to consider before the bill came before the House. He had a high opinion of the lord Chancellor; but he thought the information should not be refused.

Mr. A. Dawson said, that the motion was not confined to the court of Chancery, but related to five other courts: the sensitiveness of the Attorney General, and his alarm at an attack upon the lord Chancellor, were therefore misplaced. If, as the Secretary of State had said, the information required in the present motion was
before the House, the object of the motion could not be to heap additional disgrace on the lord Chancellor. Two years ago the evils of the Chancery court were acknowledged, in the appointment of the commission. One remedy was, to diminish the amount of business before the Chancellor. If his income was so agreeable to his lordship, let him preserve it; give him what emoluments they pleased, but only take the business from him. Let them wipe away the tears from the widows' and orphans' eyes, and heal the wounds of those who were compelled to resort to the court of Chancery. It was most ungracious in the law officers of the Crown to oppose the inquiry. It was as much as to say, that the House should be satisfied with the smallest evidence which the general outcry of the country could wring from them.

Mr. Hobhouse was surprised that so important a motion should be left to the opposition of only two law officers on the ministerial benches, and who differed from each other. The proposed bill was called for by the whole country, to put an end to the great abuses in the court of Chancery; and, considering its contents, he thought that the country had not been dealt fairly with by ministers. It was strange that the Master of the Rolls, who had introduced the bill, and who was responsible for it, should not be present at this discussion. The Attorney-general, instead of meeting the question with argument, had endeavoured to construe it into an invidious attack upon the Chancellor. It was too much for the Secretary of State to tell the House, that it was humiliating for the lord Chancellor to have his conduct and his purposes questioned. He would tell the right hon. gentleman, that it would indeed be most humilitating to the nation, if the House forbore to put the questions involved in the present motion. Because members of that House moved for papers calculated to elucidate the abuses of the Chancery court, were they to be told that party motives prompted them against the lord Chancellor? He knew the lord Chancellor only in his connexion with the political history of the country; and he would recognize him as no such man as his friends represented him. He viewed him as intimately connected with all the great political measures, the object of which was to put down the improving spirit of the age. He believed his lordship to be the principal antagonist of all who saw that it was essential for the happiness of the country to form an administration which should meet the wishes of the people, and unite the greatest possible share of talents. He was told, if he spoke against the Chancery court, he was speaking against the lord Chancellor. He was willing to proceed on this ground, and to identify him with the measures to be pursued upon the subject. The proposed bill effected nothing. It was a mere stop-gap, and altogether a delusion. He would ask the Secretary of State, who had applied his mind and his energies to other reforms, how could he resist all efficient reforms in the court of Chancery? He might feel an attachment to the lord Chancellor, who acted with him in politics; but he did not see that this ought to lead him to defend the abuses of his court. The right hon. gentleman might, perhaps, suppose that he owed the noble and learned lord something for the share he possessed of political power; but he was sure, if that right hon. gentleman followed up his views as to reforming our laws, he would be supported by the nation, and need not require the protection of any individual. Were he to carry into the Chancery the same spirit of reform which he had carried into the other courts—were he to enter into this reform with the same judgment and discrimination that he had set about reforming the Criminal law, and the law for regulating Juries, he would find that the nation would stand by him, and he would not want the aid of the Chancellor. It was painful to see, for so long a time, a great political judge exercising vast political power, so that it was impossible to set about any reform without its turning out vain and chimerical. It was the duty of the House and the country, therefore, to look at this question, and to take their stand on it. He should like to hear some of the commercial gentlemen in that House state what they suffered from the court of Chancery. He would like to hear some of the members of the great and paramount interest in that House—he meant the landed interest—tell them what they suffered. He should like to hear from them how they were mulcted at every transfer of their property. The motion only went to get necessary information; but the Attorney-general had told them, they were not to inquire into what the lord Chancellor had not done—they
were to be contented with the information contained in the reports, and to be satisfied with knowing what the Chancellor had done. The right hon. gentleman said, that the information asked for was not necessary to the passing of the bill. He contended that it was; and, unless they had that information, how could they decide as to the merits of the one hundred and eighty-eight propositions which had been submitted to them relative to the court of Chancery? He had been induced to speak, because no gentleman on the other side would speak; but the principal purpose for which he rose was, to inquire of the right hon. gentleman opposite, why the measure had been dropped inquiring of the right hon. gentleman opposite, why the measure had been dropped? Why was the master of the Rolls not there to propose the second reading? Why was the master of the Rolls not there to propose the second reading? Why was the master of the Rolls not there to propose the second reading of the bill? Why was the master of the Rolls not there to propose the second reading of the bill? This was what he wanted to know from the right hon. gentleman opposite. He had gone, he understood, to Bristol, to attend a cause. He thought the House was not treated fairly. He considered that the information asked for ought to be given, and should support the motion.

Mr. Secretary Canning said, he did not know why the hon. gentleman had fixed on him to account for the absence of the master of the Rolls. He could only say, which was as far as he knew, that the learned gentleman was not there. He had, probably, been more agreeably employed, as it was evident the hon. gentleman had, than in attending to the debates of that House [a laugh]. If the hon. gentleman asked him, why the master of the Rolls was not there to propose the second reading of his bill, he must reply, that the second reading had been put off at the express desire of the gentlemen opposite; and, therefore, to ask him why the master of the Rolls was not present to move the second reading, was, of all unreasonable interrogatories, the most unreasonable. The master of the Rolls had objected to putting off the second reading, but he had done it at the request of members opposite. He would not say that that request was a final bargain; but he would say, that it did imply, that, during the interval asked for by the gentlemen opposite, and granted by the master of the Rolls, no motion should be brought forward so very like the second reading of that bill, that it could not be distinguished by the optics of the hon. gentleman. He had not, however, then brought forward the second reading; and he (Mr. Canning) thought, from the tone of the hon. member’s remarks, that, if it had been brought forward, the hon. member could not have voted on it, except from a hostile feeling to the noble and learned lord. He did not agree exactly with his right hon. friend, the Attorney-general, who had, he thought, been carried too far. He opposed the motion on the ground that it ought not to have been brought forward during the time the other motion had been postponed; and that it was not right to get up an incidental debate, involving all the points to which the bill referred. He was not prepared, however, to say, that he should at all times oppose the motion; if ground enough were laid for ascertaining to it; nor was he prepared to say, that the information required was not necessary. He must observe, however, that the motions of the hon. mover went far beyond his notices. He was not himself lawyer sufficient to know whether the information was desirable or not; but, if he had looked at the notice of the hon. mover’s motion, he should not have found it so defined, that he could have known before-hand whether or not it was right to concede it. He must say, from the temper of the debate, and from all that had passed, it would carry to the public an air which implied condemnation, were the House to give its sanction to the present motion. Since the motion had been brought forward, it had been swelled into nothing less than a direct attack on the noble and learned lord in his judicial, political, and personal capacity. On these grounds he should oppose it.

Mr. D. W. Harvey, in reply, observed, that while he would not imitate the vitiated taste of the Attorney-general, in ascribing motives to hon. members, he would remind the learned gentleman, that he was the last man who ought to resort to this hazardous course, for he could not be unmindful that he had been open to very severe misconstruction. At the time when the learned gentleman disrobed himself of his equity apparel, and entered the court of King’s-bench as the hired defender of treason, it was remarked, that he had volunteered to be the eulogist of Watson and Thistlewood, to mortify the lord Chancellor for overlooking those high endowments which had since been substantially recognized [hear, hear]. It had been said, that this motion was an attack...
on the lord Chancellor. The same thing might be said of the Vice-chancellor, the Master of the Rolls, and the Chief baron; for it embraced them all, and equally affected all; that was, it touched neither of them personally, but over-reached the court of each. The motion was indeed friendly to the lord Chancellor, as it would show that though the Vice-chancellor got through more business, he only got rid of it, but did not dispose of it. It was his practice to refer every thing to the masters, whose offices were choked with references: and in a few years the tide would roll back, and the delusion with it. The hon. member disclaimed all personal feeling towards the lord Chancellor. He neither had received, nor did he seek, any favour at his hands.

The House divided: Ayes 66; Noes 132: Majority against the motion 66.

List of the Minority.
Althorp, vicount
Arddecken, A.
Bailie, J.
Baring, F.
Baring, W. B.
Birch, J.
Calcraft, J.
Calvert, N.
Clements, vic.
Clive, E. B.
Davies, T.
Davenport, E. D.
Dawson, A.
Dick, Quintin
Dickinson, W.
Du Cane, P.
Duncannon, vic.
Dundas, hon. sir R.
Easthope, John
Eltrington, vic.
Euston, earl of
Fazakerley, J. N.
Ferguson, sir R.
Gordon, R.
Graham, sir J.
Grattan, H.
Greene, T.
Guest, J.
Guise, sir W.
Heathcote, G. J.
Howard, H.
Howick, vic.
Ilume, J.
Kennedy, T. F.
Langston, J. H.

TELLERS.
Ferguson, R. C.
Harvey, D. W.

HOUSE OF LORDS.
Friday, April 6.

SPRING-GUNS BILL. The Report of

the Committee upon this bill was brought up.

Lord Ellenborough gave notice, that he should move, unless some other noble lord did so, upon the third reading of the bill, that nothing in the act should extend to prohibit the placing of Spring-guns in houses or walled-gardens.

Lord Suffield stated, that when the noble baron brought forward his amendment, he should then think it necessary to oppose it. He now rose for leave to withdraw the clause relative to bringing actions, as it was wholly useless; because, as the placing of Spring-guns was made a misdemeanour by the act, an action at law followed as a matter of course.—Agreed to.

The Marquis of Lansdowne moved to except from the operation of the act, that which he thought ought to be excepted, the inside of houses, because he felt that such exception was in accordance with the principle of the bill; which was, that no individual should be permitted to do that by indirect means which he had no right to do by direct means. But it was lawful to repel by violence every act of violence; and it was an act of violence for a person to break into a man's house. The principle of the bill also went to prevent the employment of Spring-guns wherever innocent persons might fall upon them, and where individuals might go without warning. But if Spring-guns were placed in the inside of houses, it must be supposed that the father of the family would take care to let every person in the House be acquainted with the places where Spring-guns were set. He had not himself been in the habit of setting Spring-guns; but he knew that some persons set them in particular places of the house, which were considered weak points, where the house might be easily entered; and he knew that setting those Spring-guns in those spots had the desired effect of giving protection, by terrifying robbers from attempting them. He had had the assistance of the noble and learned lord on the woolsack, who had drawn up the clause to except the inside of houses from the operation of the act.

Lord Suffield felt it his duty to oppose the introduction of this clause. He would venture to say, that the noble marquis was wrong in his law, as to shooting at a person in a dwelling-house. He believed that if a person was in the act of forcibly entering the dwelling-house of any man, he
was justified in shooting him; but if a person found a man in his drawing-room, who was willing to surrender himself, and shot him, that person would be guilty of murder. He believed one man had no right to shoot another, except he was taken in an act of violence. The object of the bill was to prevent accidents: and how would it be with regard to people walking in their sleep? Noble lords who had alarm-bells in their houses, well knew, that with all the precaution taken to prevent their going off accidentally, and alarming the family, such occurrences did take place. What would be the consequence, if they had been Spring-guns? Why the person would be shot. A noble lord had mentioned to him an instance of the accidents that occurred from Spring-guns, where, not only the man himself who had set the gun was shot, but his wife and daughter also. He therefore entreated those who were disposed to support the principle of this bill to prevent the introduction of this clause.

The Earl of Abingdon said, that as the noble lord had so earnestly looked at him, he must say that he had neither shot himself, or been the means of shooting his wife and daughter. But he would tell the noble lord, that if he should attempt forcibly to enter his house, he would shoot him in the attempt, and leave him to prove his intention afterwards [a laugh].

The Earl of Malmesbury thought it perfectly clear that a man was justified in shooting any persons endeavouring forcibly to intrude themselves into his dwelling-house at night. In fact, they forfeited their lives by the illegality of the act they were engaged in; and he thought there was more danger to be apprehended from keeping loaded fire-arms in the house than from Spring-guns.

The Lord Chancellor observed, that it was difficult to say what was the weight of judicial opinions with respect to setting Spring-guns; but he believed that wherever due notice was given of their being set, such engines were not illegal.

Lord Ellenborough agreed with the learned lord, and by way of amendment proposed to except also "hot-houses or other buildings" from the operations of this act.

The Earl of Harrowby instanced green-houses, which, as well as hot-houses, might require such protection, and which would, according to the present exceptions, be included within the operation of the act. It was of the greatest importance for persons to know, whether by using such engines for the protection of their property, they became guilty of murder. Noble lords might decide as they pleased, but he hoped to God they would not leave it undecided, whether a man had a right to shoot another in defence of his property.

The Lord Chancellor said, it was extremely dangerous to take upon themselves to say what was the law upon such a subject. The law must depend entirely on all the circumstances of the case.

On the question being put, whether the words "hot-house or other building" should be inserted by way of amendment, their lordships divided; Content 27; Not-content 29. On the motion of the marquis of Lansdown for excepting dwelling-houses from the operation of the act. Content 39; Not-content 17.

GAME LAWS AMENDMENT BILL.] On the motion of lord Wharncliffe, that the House should resolve itself into a committee on this bill,

The Marquis of Lansdown said, that having moved for certain returns, showing the increase of crime within the last few years, and as those returns, in pursuance of their lordships' orders, were now in progress, he should, for the present, postpone delivering his opinion on the subject, especially as he understood that the third reading of the bill would not be permitted to pass without some discussion. The knowledge to be derived from those returns, with respect to the alarming increase of crime of late years in this country, but more particularly in England, as regarded the crimes arising from the practice of poaching, was a subject deserving their most serious consideration, and to which, on the third reading of the bill, he should call their attention.

The House then resolved itself into a committee on the bill.

Lord Redesdale objected strongly to the first clause, the object of which was to introduce a new system of qualifications for killing game, whereby greater facilities would be afforded for poaching than existed under the present. He had no objection to so much of the bill as rendered the sale of game legal; but he thought it would be advisable to require that every person selling game should take out a licence for that purpose.
Lord Suffield begged to express his dis- 

sent from the view which the learned lord 
took of this subject. The learned lord 
had talked of qualifications. Now, he 
contended, that they were not qualifica-
tions, but disqualifications, and that they 
were replete with injustice, as well as 
mischief.

The Marquis of Londonderry observed, 
that the first clause of the bill went to repeal 
all the laws that had hitherto been enacted 
on this subject. Now, it was rather strange 
that, if those laws had been so destructive 
in their operation as they had been de-
scribed to be, there should have been no 
petitions presented against them. What-
ever might have been, their effect in pro-
ducing crime, he considered that the 
present bill was calculated to increase it. 
He did not disapprove, however, of the 
principle, that the sale of game ought to 
be permitted by law. It would be desirable 
that those who were at the expense of 
feeding it, should, when a quantity of it 
was killed, have those around them who 
might be at liberty to dispose of 
what they had, if they chose to do so. 

Lord Wharncliffe assured the noble 
marquis, that he would find himself in a 
miserable minority in the country, what-
ever he might here, in his attempt to up-
hold the present system of qualifications; 
which were in violation of every notion of 
common justice. Was it justice that, 
when game came upon another man's land, 
and was fed upon it, he was not to have 
any claim to it? He contended, that the 
present bill did not give any new rights, 
but only confirmed those which existed, and 
quoted lord Coke, and other authorities 
to show that the old law gave a man a 
qualified property in the game on his own 
land.

The Lord Chancellor did not approve 
of the existing system of qualifications, 
but, at the same time, he was not prepared 
to say that he considered the one pro-
vided by the present bill a change for the 
better. He would, however, reserve his 
opinion upon the general principle of the 
bill until the third reading. With respect 
to the decisions of lord Coke, that great 
authority, like many others, was contra-
dicted in some most important doctrines, 
and many of his decisions were not law at 
this day. For himself, he did not believe 
that the law gave a man an action of trover 
against a person who killed a pheasant on 
his land, because it was on his land; not-
withstanding the authorities referred to by 
the noble lord. The great circumstance 
on which the bill was founded; namely, 
the increase of crime, was owing to the 
introduction of battues; and if their lord-
ships did not find some means of destroy-
ing these battues, they might as well say 
that the moon shall not shine, as that 
there shall not be poachers.

The Duke of Richmond said, that the 
present Game-laws were most unjust in their 
operation. As to the effect apprehend-
ed from the bill before the committee, 
that it would be attended with the de-
struction of the game, there was just as 
much reason to apprehend it at present; 
because any man who now chose to de-
stroy the game, might do so by laying 
poison in his field, which the law did not 
prevent him from doing. He considered 
the whole system of our Game-laws so 
objectionable, that he would vote for any 
alteration in them which might be pro-
posed. It was not by law that game was 
now protected, but by an armed force.

The clause was agreed to, and the 
House resumed.

HOUSE OF COMMONS.

Friday, April 6.

Roman Catholic Claims.] Admiral 
Sootheron presented a petition from Not-
ingham, signed by upwards of one thou-
sand individuals, against any further con-
cessions to Roman Catholics.

The Marquis of Chandos took that 
opportunity of putting a question to the 
right hon. and learned gentleman, the 
Attorney-general for Ireland. Two or 
three years ago, an act had been passed 
for putting down the Catholic Association. 
Now, it was notorious that that body had, 
in defiance of that act, continued their 
meetings, and assumed, in all their pro-
cedings, the stamp and character of a
legislative body. He took it for granted, that if the act to which he had referred were carried into effect, this ground of complaint would be at an end. Now, he wished to know from the right hon. gentleman, why the act in question was not carried into effect? Seeing that it had not been, he wished to know from the right hon. gentleman, whether it was his intention, in the present session, to propose any other measure of a similar tendency.

Sir William Plunkett said, that if the noble lord put that question to him, in his individual capacity, as a member of parliament, he would answer it by saying, that the act spoken of was not introduced by him, though it had its full concurrence and support, as well as that of the noble lord himself. When the noble lord inquired of him, whether or not it was his intention to propose to parliament any additional regulations, or to introduce any new act of the kind, he had only to reply that he had no such intention. If the latter question were put to him as an humble individual, belonging to the Irish government, instead of answering it, he would refer the noble lord to his right hon. friends near him, the Secretary of State for the Home Department, and the Secretary to the lord-lieutenant of Ireland, who would give to him such answers as they thought proper. The noble lord had been kind enough to apprise him of his intention of putting these questions and he begged to offer his thanks for that courtesy, but, at the same time, he must say, that the question which called on him to state why he did not carry into effect the act referred to, was a question that implied the affirmation of a distinct proposition, and one which should not come before the House in the form of a question. Whenever the noble lord thought right to bring it before the House in its proper form, and to make a motion on the subject, he should, so far as he was concerned, be prepared to meet it; in doing which he should certainly feel no difficulty. He could assure the noble lord, that if he had to perform the arduous task of instituting, or forbearing to institute, proceedings, he would find abundant occupation, without having to meet every casual question that hon. members might think proper to put. He had only further to observe, that there was no act which he had done or forborne to do, in reference to this statute, which did not receive the full sanction of every branch of his majesty's government, on both sides of the water.

General Gascoyne thought, that the answers given by the right hon. gentleman were by no means satisfactory, and trusted that the noble lord would not rest content with them, but would bring the subject under the consideration of the House.

Colonel Trench said, that the Roman Catholic Association had assumed to itself the powers which belonged to the Crown and government. The Attorney-general of Ireland had not, however, thought it right to take those steps, which, under the authority of the bill in question, would have enabled him to put down the Association. He spoke the opinions of the majority in Ireland, when he said that the bill, if properly carried into effect, was sufficient for the purpose. It had often been stated in that House, that Catholic emancipation was the remedy for all the evils of Ireland. This he denied. He firmly believed that even the discussion of the question would prove a ground of further dispute and contest ["Question!""] He would not trespass upon the House many minutes. He wished to say a few words, because he believed that Catholic emancipation was no remedy for the calamities of Ireland. He would not take more than five minutes. He would shew what were the remedies for the evils under which Ireland laboured. In what state was Ireland? They were told, from the highest authority, that Ireland was in a most disturbed state, owing to the operations of the Catholic Association, and to the violent and inflammatory speeches that were uttered by its members, as well as elsewhere. They had heard a right hon. and learned member of the Irish government say, that Ireland was in a disturbed state. "The state of Ireland," said the hon. colonel, "is this—here lie the combustibles, and there stands the man with the match in his hand" [cheers and laughter, with cries of name, name]. He should use his own discretion as to naming the gentleman to whom he alluded. He bore no personal ill will to any individual in that House; but he was not one of those who could deposit all his feelings, and lay them aside the moment he left the House. They would still cling round his heart. A system of kindness and firmness on the part of government would
ally the ferment of Ireland; but the inflammatory speeches to which he alluded would set the combustible matter in a flame. The Catholics were told, that they were merely tools, and objects of degradation. They were further told, that in England such ill treatment would not be met by idle murmurs and vain complaints, but would be resisted with energy and effect. Those who knew the temperament of the Irish people, could only use such language from a wish to make them burst out into acts of violence. In 1798 it was said that the government had caused the Irish Rebellion, for the sake of carrying the Union. A similar intention must be equally imputed to individuals at the present moment; if persons believed in their extreme zeal in the cause. The Catholics were excited to the highest degree, in order to carry the Catholic question [murmurs, and cries of question! order, order!] Gentlemen called upon him to deviate from his own intentions. He should not listen to their suggestions; which were only designed to betray him into that impetuosity, which, from his intercourse with Ireland, he might be prone to fall into. It was not necessary for him to name the person to whom he alluded; every man who heard him very well understood the allusion.—He held in his hand a paper which had cost him much labour. When he saw that emancipation would but aggravate the evils of Ireland, he was disposed to state a simple and obvious remedy, which might, in the common course of events, be applied each successive day, and which would take away the sting from that which did so much mischief. He thought it most advisable that the people of Ireland should be taken out of the hands in which they were at present placed. He had several measures to propose, which, he thought, would tend greatly to the pacification and prosperity of Ireland. First, he would propose to put down the Catholic Association. This, he thought, might be easily done, by the proper application even of the existing laws. Secondly, he would propose the employment of the poor by government for a limited period. By this means the people would be trained to habits of industry, and capital would, in a short time, find its way into, and might be beneficially employed in, Ireland. Next, he would educate the people of Ireland. Here he should merely mention the word Education, and content himself with throwing it out as a suggestion to his majesty's government. Fourthly, he would take measures to improve the agriculture of Ireland; which, he feared, was not likely to be benefitted by the present system. That system might do good in America, but for Ireland he doubted whether it would do anything, except increase existing evils. He would pay the Catholic clergy, and pay them liberally, out of the public revenue, and by that means establish a golden link between them and the Crown. Next he would alter the elective franchise. He only threw this out as a hint, and would not enter into details at present, further than saying, that the existing system under which that franchise was exercised, was full of the grossest and most flagrant abuses. He would appoint a governor in each county in Ireland. Having gone thus far, he had done [cries of hear, hear! and laughter.] He had done with the state of Ireland. But he must observe, that more had been done in that country during the short administration of lord Wellesley, than had been done for ages before. Much had been done, and much might still be done for Ireland; but it was too much to see the law officers of the Crown standing with their arms folded, when they should exert themselves in putting down those who disturbed the peace and tranquillity of that country [hear, hear! and a laugh from both sides of the House.] There existed in Ireland an association decidedly illegal, and he hoped and trusted that it would yet be put down. [Here the groaning, which had been regularly set up, as the gallant colonel came to the end of each of his sentences, was continued to the end of his speech without intermission. It was totally dissimilar from the coughing which usually takes place when the House wishes to show that it is tired of attending to any particular speaker. A long drawing cry of “Oh! oh!” began at one end of the opposition benches, and ran on to the other. The regularity with which the cry rose and fell as the gallant colonel proceeded with his speech, created considerable laughter, and completely drowned the voice of the hon. member.] Mr. Secretary Peel rose, for the purpose of deprecating the continuance of a discussion of which no notice had been given, and the occurrence of which could scarcely have been anticipated on an occasion like
the present; namely, that of presenting a petition on the subject of the Roman Catholic claims. Certainly, he could not have imagined that the hon. member who spoke last would have adverted to any one of the numerous topics which he had brought under the notice of the House in a manner so irregular; and, he might be permitted to add, so premature and uncalled for. The hon. member had referred, in the course of his speech, to the Catholic association—the subject of education—the payment of the Catholic clergy by the Crown—the determination of the Catholic question—the present state of the elective franchise—and the improvement of Irish agriculture. Now, he had not seen the petition which had given rise to this extensive choice of subjects by the hon. member; neither was he in the House at the time when it was presented; but he confessed he was not a little curious to see it, in order to see whether or not it contained as great a diversity of topics as the speech of the hon. member. If it did, it must, indeed, be a most extraordinary document. When it had been laid down by the chair, as in the present instance it had, that hon. members were precluded from alluding to any thing which was not contained within the four corners of the petition, he thought that this must be a most extraordinary one. However, he was rather disposed to consider the speech of the hon. member in the light of a record of his opinions and sentiments on the subjects in question; and he assured the hon. member, that he intended him not the slightest disrespect, when he deprecated such a discussion as his speech was calculated to excite. He had risen principally for the purpose of deprecating the continuance of the discussion; but, before he sat down, he would advert to another subject. It arose out of the question which had been put by the noble marquis relative to the enforcement of the law against the Roman Catholic Association. It was difficult to answer a question of that kind; but what he meant to state was this; namely, that the subject was one for which the law officers of the Crown were not exclusively responsible. True it was, the law could not be enforced without first obtaining the opinion of the law officers on the subject; but when that opinion was given, it was also a question of discretion as to putting the law in force, which rested as much with the government as with the legal officers of the Crown. It was, therefore, but justice to his right hon. friend, the Attorney-general for Ireland, to say, that if any responsibility was attached to the government, in regard to the enforcement or non-enforcement of the law, quite as much of that responsibility attached itself to the individual who might hold the office of Secretary of State for the Home Department, as to his majesty's Attorney-general, or any other of the ostensible law advisers of the Crown. He felt bound also to say, that hitherto, between all the parties alluded to, the most perfect agreement had existed in regard to this subject, and that their unanimous opinion was, that, up to the present period, no circumstances had occurred, which rendered it advisable to enforce the law against the Roman Catholic Association. Having concurred in this opinion, and in the propriety of following the course which it dictated, he thought it right thus publicly to avow his participation in it; and he should only add, that in state prosecutions for libel, or for any other offence, he had never found his right hon. friend, the Attorney-general for Ireland, deviating from that line of conduct which it was correct to pursue. He had never known that right honourable individual to prosecute, or to abstain from prosecuting, public offenders, on account of the speculative opinions which they might entertain, or the party to which they belonged.

Sir William Plunkett observed, that so far as any individual responsibility could be supposed to attach to him, arising out of the question which had been put by the noble lord opposite, or the observations which were made by the honourable colonel, perhaps the House might think that he was relieved from the necessity of saying any thing, by the manly declaration of his right hon. friend, the Home Secretary, and the unequivocal testimony which that right hon. gentleman had borne to the conduct of his majesty's law officers in Ireland. On that topic, therefore, he should not add another word. But the House might think it extraordinary if he were to permit some observations, which had fallen from the hon. member who spoke last but one in the discussion, to go without a reply. The hon. member had thought fit to allude, in a most pointed manner, to a speech which he (Sir W. Plunkett) had made about three weeks ago in that House, on the subject of the Roman Ca-
tholic claims: and it was, perhaps, owing to the impetuosity of temper, of which the hon. member claimed the benefit, that he had withheld his remarks on a speech, which, be it good or bad, was delivered at the period mentioned, until the present moment. Notwithstanding the hon. member’s impetuosity, he had tamely held back, while he (Sir William), according to the hon. gentleman, was about to apply a match to the gunpowder and other combustible materials collected in Ireland by means of his dangerous and inflammatory speech. It was not till three weeks had elapsed, that the hon. gentleman came forward with the lightning which was to electrify the House and the country, while it involved both in a common conflagration [hear, and laughter]. Now if the hon. gentleman’s memory had kept pace with his impetuosity, he must have perceived how grossly he had misrepresented him, in attributing to him actions, motives, and doctrines, from which he trusted the whole course of his life had been such, as to render it unnecessary for him to defend himself on this occasion. He repeated, that the misapprehension exhibited by the hon. gentleman, had been as great as his charges against him were disorderly; and he hoped it was unnecessary to refute them. If there existed any person, who, having ever interested himself in what was called the Catholic Question in that House, or having been in any way connected with the Roman Catholics, could appeal to his uniform language and conduct both in and out of that House, to prove the correctness of his sentiments and actions in regard to that subject, he hoped that, without running the risk of being considered a self-eulogist, he might safely appeal to his whole course of conduct, in relation to the Roman Catholics; to whom his advice had invariably been, that it was only by submission, and obedience to the laws, that they could hope to attain the object which they had in view. In the speech to which the hon. gentleman had alluded, that was the language which had been distinctly held by him; and he should now crave the attention of the House to what he did say on the occasion. When it had been argued that the Roman Catholics pressed their claims with violence and clamour, he had asked the House to consider the value of the privileges of which they had been deprived, and the restoration of which they sought. For the pur-
cluding the Roman Catholics from the enjoyment of the privileges which they sought, then, he apprehended, that what the hon. member would now, doubtless, designate as very dangerous opinions, were once held by the hon. member himself [cheers]. He did not know, nor did he care to ascertain the reason of, the change which had taken place in the hon. gentleman's mind; he only knew that, for himself, he had always held and expressed, but one class of sentiments on the subject. The right hon. gentleman concluded by craving the pardon of the House, for trespassing so far on their attention; at the same time that he expressed his conviction, that he should have been wanting to himself, if he had passed over the statements of the hon. gentleman in silence.

Colonel Trench said, he had been induced to call the attention of the House to this subject, in order that hon. members might turn their attention to the matter during the recess. When the right hon. and learned gentleman had delivered the speech to which he alluded, upon the Catholic question, he thought he was listening to another learned gentleman in another place. Mr. O'Connell, the learned gentleman to whom he alluded, had lately written a very sensible letter to the Irish Roman Catholics, recommending them to preserve peace and quietness; but the speech of the right hon. and learned gentleman in that House, upon a recent occasion, was, in his view, more deserving of prosecution than was the speech of Mr. Sheil, which the right hon. and learned gentleman had recently been roused to prosecute. He did not know much of the right hon. and learned gentleman, save by the reputation of his eloquence and celebrity as a public man, and the excellence of his character in private life; but he felt called upon as an Irishman and an honest man, to take the course he had done upon that occasion. As to his change of opinion upon this question, he freely avowed it. He admitted that, in 1812, he was a strenuous advocate for Catholic emancipation. In advocating that question he had quarrelled with some of his nearest and dearest friends. But he was not then sufficiently acquainted with the real state of Ireland. He now possessed some property in that country. He had for years been a daily witness of the evils which arose from the system pursued by the Irish Catholics and their ad-

vocates, and he was now a conscientious opponent of their claims.

Ordered to lie on the table.

**Change of Ministry.** Sir E. Knatchbull rose for the purpose of making a suggestion to the hon. baronet near him; a suggestion which he hoped would have the effect of inducing him to withdraw his notice of that motion which had excited so much interest in the country. He thought that, when he referred to circumstances which all the world knew, the hon. baronet would see in those circumstances sufficient to justify him in requesting the hon. baronet to withdraw his motion altogether, and that, too, without questioning either the propriety of the motion, or the soundness of judgment which the hon. baronet had exercised in framing it.

Sir T. Gooch agreed with the suggestion thrown out by the hon. member for Kent; and he trusted that the hon. member for Somersetshire, taking into consideration the circumstances to which allusion had been made, would withdraw his motion. At present, it could not be brought forward either with benefit to the country or to the House. The hon. baronet who had proposed the motion must be aware of what every one else knew; namely, that his majesty was in town, and that, if the new administration had not actually been formed, matters were in a train for settlement.

Sir T. Lethbridge said, he must confess that what he had heard from his two hon. friends had made some impression upon him. The observations they had made had thrown him into a situation of great difficulty; and he could hardly say at that moment what course he should determine to pursue. He could assure them, that he was always most anxious to submit his opinion to the judgment of others; and if, upon this occasion, he could ascertain the sense of the House, he would adopt it; but he had no means of doing so. No one valued the judgment of his two hon. friends more than he did, but he confessed he could not, on this occasion, at once determine to follow their advice. He entertained a due sense of the nature of the motion; which, he was well aware, involved a matter of great delicacy and importance. Many of his majesty's ministers were now in the House; and, if he could understand from them that there was no necessity for the motion of which
he had given notice—that the royal prerogative had been exercised—and that the administration was actually formed—he should abstain from pressing it upon the House. But, unless he had some information of that kind, he should be obliged to bring it forward, in order to ascertain what was the opinion of the House. He was, or thought right, for that it ought to be formed, he was prepared to withdraw that motion, or at least to desist now from pressing it upon the House, if he learned that an administration either was, or was on the eve of being, formed. Now, as to the fact whether there were any arrangements in progress, he should have thought, that those circumstances which he stated a few days since, and the fact of his majesty's arrival in town that day, would have afforded a sufficient ground for the exercise of the discretion of any honourable member. But, certainly, he must say, that he was as much at a loss to comprehend the arguments on which the hon. baronet was now prepared to withdraw the motion, as he had before been to comprehend the reasons on which the hon. baronet had been induced to make it. If the hon. baronet really thought the advice of the House was necessary in the formation of an administration, surely nothing short of the actual formation of that administration—nothing short of the fact of his counsel coming too late—could logically and reasonably form a justification for his withdrawing his motion. It was whimsical enough that he should say, as say he did in effect, that he would bring forward his motion if he was too late, or he would withhold it if he was in time [hear and a laugh]. The hon. baronet must judge for himself as to the course he should pursue; but he was bound in honesty and in candour to tell the hon. baronet, that the arrangements had not so far advanced as to afford him the excuse that he must withdraw his motion—for he was not yet too late.

Sir T. Lethbridge certainly wanted no excuse to withdraw the motion. As the right hon. gentleman had afforded the House no information on the subject, he should feel bound to press his motion.

Colonel Wood was about to explain the reason which had induced him to present himself to the House, but the cries of "Order, order! Chair, chair!" were so loud as to compel him to resume his seat.

The Speaker then said, that the House could not fail to observe the inconvenience of proceeding with this discussion. Not only was there no question before the House, but when the hon. member for Somersetshire had been asked, in no very concise manner, to withdraw the motion of which he had given notice, he had distinctly declined doing so; and the hon. member would, therefore, see the necessity of postponing any observations he might have to make, until that motion came regularly before the House.

Breath of Privilege—Threatening Letters sent to Mr. Secretary Peel.] The Speaker said, he had to call the attention of the House to a subject of some importance, inasmuch as it involved deeply the privileges of the House. He had just had put into his hands three letters, addressed by a person signing himself, "H. C. Jennings," to the right hon. the Secretary of State for the Home Department; in the first of which, he commented on part of a speech which he presumed to have been made two or three nights ago, by that right hon. member, and in no very courteous terms contradicted its assertions. The second letter was still more violent; and in the third, written this day, he declared his intention of making an answer to the right hon. member from the gallery of the House. Under these circumstances, the House would feel that as soon as the matter came to his (the Speaker's) knowledge, he had but one course to pursue, to acquaint the House with it,
and with their permission, the letters should now be read by the clerk.

The Letters were then read by Mr. Lee, to the following effect:—

"Norfolk Street, Strand, Tuesday Morning.

"Sir; I was in the gallery of the House of Commons last night, and heard you say I had written to you to state, that some of the jurors on the coroner's inquest, held on lieutenant Devenish, who died in the Fleet prison, were drunk while on the jury. I beg to say that this statement is totally false; and I defy you to produce, under my hand, any such words, for I never wrote such a statement to you. I heard you say, that Mr. Hume was deceived in me; allow me to say, you are deceived in me, and not Mr. Hume. My intention and motives are pure. May the Almighty Governor of the Universe reward or punish me, according to the truth of my statement to you regarding abuses in the Fleet prison. I will bring this matter before the public, even at the risk of my life; and I earnestly and respectfully entreat you to compassionate those poor men, twenty-five in number, who signed the petition to the House. My own wrongs I bury in oblivion. I advocate the wrongs of others, and I court the severest scrutiny into my morals and character. Be sure, Sir, some day all the facts will come out, when you will stand convicted of partiality and injustice.—I am, Sir, your faithful, humble servant,

"H. C. JENNINGS."

"The Right Hon. Secretary Peel."

The second Letter was to the following effect:—

"Norfolk Street, Strand, April 5.

"Sir; I had hoped to have had the honour of a reply to my letter of yesterday; in which I accused you of having stated circumstances to the House of Commons highly prejudicial to my character, as it was a deliberate falsehood; for you uttered it not in the heat of passion, but with a grace which only makes the offence more deep, but deserving a better cause. Do you refuse to make me an apology, because I have just been released from prison? because I am defenceless and in ill-health? If you do, I pity your courage as much as I deplore your want of generosity. To attack me in this manner, and under my circumstances; to hold me up to the world, and degrade me in the eyes of the public, and of the House of Commons, is a moral assassination, and I envy you not the triumph obtained over truth and misery, by such base and unworthy means, of late years resorted to by official men. But when you got up, and stated such a fabrication, I confess I was hurt, and disappointed; as, whatever may be your opinion of my character, I take the liberty of forming no very honourable one of yours, unless you apologise to me; and I shall take the liberty also of considering my situation in society, however struck down I may be, as more desirable than yours, for you shall stand at the bar of the public a detected liar. In case I had written such words as you stated to the House, show the words, prove them by my handwriting. I defy you to do so; I am incapable of saying any thing against any one's character that is false, to gain any purpose whatsoever; and I do not believe any misfortune would so far corrupt my heart, or degrade my mind, as to make me pursue such a course."

The third Letter was to the following effect:—

"Sir; Finding you are determined not to offer me any apology for the false and injurious statement you made to the House of Commons, and to the public, to the great prejudice and ruin of my honour and character, I shall, therefore, regardless of the result, speak to you from the gallery of the House, as my life is a curse to me under the present affliction. Your honour demands this apology, as well as my feelings; for how can you rise in the House, and state facts, if it is proved against you, you have told a wilful falsehood! This must paralyse every power you have, unless you defy truth and justice, you will live in a country where laws are not distributed equally for rich and poor alike. I am determined at all events to obtain the reparation I demand."

Mr. Secretary Peel said, he should perhaps be excused for stating the circumstances under which he had transmitted these letters to the Speaker. As he had received the last of them at four o'clock that day, he thought it possible, from what was therein stated, that a breach of decorum might be committed, and he had therefore deemed it best to send them to the Speaker. He had not had an opportunity of communicating with the right hon. gentleman upon the subject; and he
supposed that the right hon. gentleman, drawing the same conclusions as he had done from the intimation in the last note, had thought it proper to call the attention of the House to the matter. He wished to take that opportunity of saying, that the impression which the writer seemed to have formed concerning what he had said, was certainly erroneous. When the hon. member for Aberdeen had brought forward his motion on the state of the prisons, he (Mr. Peel) had stated, that he had certainly received a great many communications on the subject, from a gentleman of the name of Jennings; and he supposed that Mr. Hume, too, must have received communications of a similar nature; and if he had, he had expressed his opinion, that that hon. gentleman ought not to place implicit confidence in them, for that, in his opinion, they were exceedingly exaggerated. In the course of the evening he had made an inquiry into the statement, that the jury assembled on lieut. Devenish had been made drunk, and had sent to the chief justice of the Common Pleas, who had despatched a messenger to the prison, and had found on inquiry that the statement was not true. He (Mr. Peel) had merely stated the result of that inquiry. He therefore repeated, that Mr. Jennings seemed to be labouring under an erroneous impression as to what had been said. Whatever degree of lenity the House could show to Mr. Jennings, of course they would shew him; but if he had allowed any individual to tell him, as Mr. Jennings had done, that he should make an address from the gallery of the House, and had not communicated the fact to the House, he feared that he should have been censured for negligence. He wished now to state that Mr. Clayton Jennings had also written to him on the subject of Tuesday night's debate, and through some misconstruction of what had been said, seemed to imagine that he had been alluded to. To correct that error, he thought it only necessary to say, that Mr. Clayton Jennings was not the person referred to by him, but a Mr. Constantine Jennings, who had been before a committee of the House.

Mr. Hume said, he had received letters from Mr. H. Jennings, complaining in the same manner as in the letter to the right hon. Secretary of State. His impression had been, that the right hon. Secretary had alluded to Mr. H. Jennings. Now, he assured the House that that gentleman, who certainly had displayed much warmth in his letters, did not number among his failings a want of humanity. He had seen him that day, though he did not then know of those letters; and, undoubtedly, Mr. Jennings did appear to be much excited by the imputations which he imagined to have been cast upon him. It was to be hoped, that the House would take the circumstance of warm and excited feelings into their consideration, as an excuse for what Mr. Jennings had done; and that they would make some allowance for the natural warmth of a man who believed, however unjustly, that he had been misrepresented, and who thought he was deprived of any chance of redress, except through the means mentioned in his letter. He thought that, after what had now passed, the further notice of the matter might be dropped.

Mr. Secretary Canning said, that however painful it might be to proceed against an individual circumstanced as Mr. Jennings was, it was impossible to let the matter pass by quite in the way proposed by the hon. member for Aberdeen. The letters were a manifest breach of privilege; and he should therefore move, that Mr. Jennings be ordered to attend at the bar of the House on Monday next.—Agreed to.

CORN DUTIES BILL.] On the order of the day for going into a committee on this bill, Sir T. Lettsom said, that considering the feeling which the House had displayed a short time since upon the subject of his motion, he should deem it best now to withdraw it, reserving to himself, at no distant time, the right of bringing the question before the House, not exactly in the same form, but, undoubtedly, in a similar shape.

Mr. E. D. Davenport said—Sir, having, on former occasions, tried in vain to attract your attention in the earlier stages of this bill, I hope I shall be allowed to avail myself of this opportunity to address the House on a subject to which I have paid of late years much attention, and of which I can scarcely have avoided to acquire somewhat of practical experience; and I am the more desirous to do so, because I take a view of it somewhat different from many of those with whom I have voted. The measure itself has my
unqualified approbation. No candid man can fail to recognise in the principle of the bill, a salutary, though somewhat tardy, wish to mediate between the conflicting interests; whilst the provisions of it give us all the protection we have any right to ask, and possibly somewhat more than we may eventually be found to require; and if such should prove to be the case, I for one shall have no objection to assent to the modifications of the scale of duties. For, though few persons in or out of this House feel a more sincere solicitude for the maintenance of British agriculture, this feeling has never made me unmindful of the impolicy and injustice, towards other classes of consumers, of pushing protection one iota beyond the mark point of done done remuneration; for which I understand the cost of production, with moderate rents and moderate profits. On this principle, I and my friends opposed the 64s. amendment, because the price was too high if it ever could have been realised; and if (as I believe it would have proved) delusive, it would have done mischief. If I did not vote for the amendment of my hon. friend, the member for Bridgenorth, it was not because I presumed to impugn it, but because my hon. friend, not satisfied with the recognition of his own principles in the bill before the House, insisted on our taking a leap in the dark, up to the precise point to which he thought fit to carry it. Now, I am extremely anxious that the landed interest should not believe that we have settled all that is essential, to procure for their productions a remunerative price; and I have my fears that certain expressions of the Secretary for the Home Department, relative to “an oscillating price between 55s. and 65s. for the quarter of wheat,” may tend very much to mislead those whose hopes we ought rather to depress than encourage, under present circumstances. We have been very busy discussing values in “the integral shilling, and parts of such integral shilling;” but we say not a word about the pounds, in which the main question lies. Much delusion has already gone forth, and much unmerited obloquy against that interest to which I belong, and to which, under such circumstances, one is almost ashamed to belong. But the true cause of that pressure, which has produced numerous meetings and angry discussions on corn, I traced to a source which I shall under the words of Mr. Locke, under the persuasion that the authority will insure the respect of the House. After enumerating the various causes which lower rent, such as when “The markets are supplied with the same commodity cheaper from another place,” Mr. Locke says—“Or when the money of the country is less; for the exigencies and uses of money not lessening with its quantity, and it being in the same proportion to be employed and distributed still, in all the parts of its circulation, so much as its quantity is lessened, so much must the share of every one who has a right to this money be the less, whether he be landholder for his goods, or labourer for his hire, or merchant for his brokerage.” And again; “Indeed, people not perceiving the money to be gone, are apt to be jealous of one another, and each suspect another’s inequality of gain, to rob him of his share, &c.; but this is but scrambling amongst ourselves, and helps no more against our want then the pulling off a short coverlet will, among children who lie together, to preserve them from the cold. Some will starve unless the father of the family provide better, and enlarge the scanty covering. This pulling and contest is usually between the landed men and merchants; for the labourers’ share being seldom more than a bare subsistence, never allows that body time or opportunity to raise their thoughts above that.” These observations were printed a hundred and forty years ago; but they are as appropriate to our present condition as if they had been composed expressly for the occasions. I herewith submit an illustration of a table, containing the price of wheat, compared with the total computed amount of our currency during the last nine years, whereby it will be found that their variations sympathise as nearly as possible:

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<tr>
<th>Year</th>
<th>Wheat</th>
<th>Millions aggregate Currency</th>
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<td>1818</td>
<td>84</td>
<td>46</td>
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<td>66</td>
<td>42</td>
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<tr>
<td>1826</td>
<td>57</td>
<td>36</td>
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I moved for the Greenwich Hospital Contracts Returns without the least knowledge how they would bear me out; and I find they tally with the above exactly, with one very slight exception.
Sir C. Colpe hoped the right hon. gentleman would consent to substitute a lower price for that at present contemplated, at which to allow a free importation of foreign grain. In a petition which he had presented to the House, from his constituents, there was a prayer to substitute 70s. for 80s., as was the law at present; but he, himself, thought 64s. would be still more likely to meet the wants and wishes of the country. Such a proceeding would have been but an act of justice towards the agriculturists, to which they were entitled. The supporters of the present bill had advocated it, on the ground that it would afford relief to the poorer classes; but he was of opinion that it would not operate in that way. The moment the price of wheat was reduced, the manufacturers would reduce the rate of wages. At all events, the agriculturists could not continue to pay their labourers at the same rate under the proposed law, as they did under the existing one. The moment the present measure should be adopted, the landed interest would be entitled to call for a considerable reduction of taxation.

Mr. Birch thought it desirable that it should be clearly understood whether or not the warehousing system was applicable to corn under the proposed measure: for unless that were the case, it would, in his opinion, be perfectly nugatory.

The House having resolved itself into the committee,

Mr. C. Grant begged to offer a very brief explanation of the connection between this bill and the general warehousing system. It certainly was the intention of ministers, that bonding should be applied as well to corn as to all other commodities paying a duty; and by the second clause, he conceived that that intention was carried into effect. The warehousing system was the general law of the land at this moment, and without reference to the particular provisions, it would be applied to grain as a matter of course. In order to render this object more clear, he should propose to leave out the words "imported or," and to leave the clause only with the words "all corn which shall be entered," &c.

Colonel Wood wished to know distinctly whether, as far as warehousing was concerned, corn was to be put on the same footing as any other article on which duty was paid? If so, whether the duty was to be calculated at the price of wheat in this country when the imported grain was warehoused, or at the price of wheat when the warehoused grain was thrown upon the British markets?

Mr. Alderman Atkins recommended, that the duty should be paid according to the price when the wheat was first imported.

Mr. C. Grant explained the general nature and object of the warehousing system, and re-stated that the duty upon warehoused articles was calculated according to the price of the day when they were taken out for home consumption. The simple principle adopted in the bill upon the table was, that the duty upon corn was to be fixed exactly like other duties: the only question for the collector ought to be, what was the price on the day when the corn was removed from the warehouse? It was true, that the duty on corn was fluctuating; but the duty on sugar was also fluctuating; and when that was entered for home consumption, the duty of the day attached upon it. The warehousing system had been applied to corn as long ago as the year 1773, when the great corn act was passed. It was provided by it, that corn, grain, flour, &c. should be admitted into warehouse, under the importers' locks, without payment of duty, and that when the importer brought it into home consumption, the duty to be charged was at the rate of the day when it was released from confinement. The duty at that time could not be correctly called fixed, inasmuch as it was 15s. per quarter, when the price was under 53s.; and only 6d. per quarter afterwards. The principle now revived had, therefore, in fact, been in operation fifty years ago.

Colonel Wood said, he had been desirous of clearly understanding the point; but what had just been stated made it necessary for him to propose, that constant importations of corn should not be permitted under the new system. To effect this object, he would strike out the words "at all times," in order to substitute an amendment. He denied that the Corn-law of 1815 was the only instance of absolute prohibition. There certainly was in the former Corn-laws a proviso, which, under some circumstances, amounted, in effect, to an absolute prohibition. With respect to fluctuations, it was impossible...
to prevent them by any description of regulations; and, in truth, fluctuations ought, in certain cases, to prevail. It was impossible that corn should be at the same price, in good and in bad harvests. In abundant harvests, the prices would be reduced; and, in cases of deficient harvests, the price must rise; and rise the more, because it was more expensive and difficult to get in a bad crop than a good one. A right hon. gentleman had, the other night, contended, that farming could not be in such a depressed state as had been represented, since so much manure had of late been imported; and he had instanced particularly bones and rags. Whether these bones and rags were imported for the purposes of manure or not, he could not tell; but at any rate, the inference might be unfounded. When a farmer cultivated land, which could not be rendered productive without such manure, he must have them, or entirely abandon his business; and in point of fact, in 1821 these farmers were, in many instances, obliged to abandon farms of about 700l. per annum, and take farms of 300l. per annum; and these they continued to cultivate as they beat could, living from hand to mouth; but liable, on additional pressure, to be completely overwhelmed. He concluded, by proposing that the words "at all times," should be left out of the clause, and that an amendment should be inserted instead; the effect of which was, that the ascending part of the scale of duties should be allowed to remain, but that the descending scale should stop when the price of wheat was at 62s. per quarter, so as then to occasion a prohibition.

Lord Althorp was decidedly opposed to the principle of prohibition, which always gave rise to the most mischievous speculations. Whenever a prohibition was fixed, the moment the prices approached close to the prohibitory price ruinous speculations were entered into, and tricks played.

The Chancellor of the Exchequer suggested that the amendment had better be proposed at a future stage of the bill. Sir E. Knatchbull then rose to propose an amendment, of which he had previously given some intimation. He wished his proposition to stand thus—that the duty taken on all foreign corn should be estimated by the amount of the home price at the time of its importation, and not at the time when it might be taken out of bond and brought into the market: with a proviso, that the duty so levied should never be more than 20s. a quarter, and that the duty should not be actually paid, until the time when the corn was taken out of bond. The effect of the law otherwise, as it was brought forward originally, was to give an advantage wholly unreasonable to the speculators in foreign corn, who held their grain in bond. If they imported when the price was 60s. the duty immediately chargeable to them, if they paid their corn to market, was 20s. a quarter. But if they held back, and the price rose to 65s., then, while the home agriculturist gained an advance of 5s. a quarter on his commodity, the foreign speculator gained an advance of 15s.; for he gained 5s. upon the advance of corn in price from 60s. to 65s. and 10s. more upon the diminished amount which he had to pay in duty.

Mr. Warburton said, that his proposal of a fixed duty had been constantly objected to, upon the ground that, in a time of scarcity, no fixed duty could ever be maintained. Now the amendment of the hon. member for Kent, involved a fixed duty of a peculiarly oppressive description. It was possible that corn might be at 80s. or 100s. in the home market, and yet 20s. duty would be charged on the letting into the market of foreign corn, because that corn had been imported when the price was 60s.

The amendment was withdrawn, and the original clause agreed to.

Mr. C. Grant brought up a clause, the object of which was, to give to his majesty in council a power of prohibiting the importation of grain or flour from any country in which higher duties should be levied on the produce and manufactures of this country than on the produce and manufactures of foreign countries, or in which higher duties should be levied on British shipping than on the shipping of that country.

Mr. Hume objected to the clause, as a departure from the principles laid down by ministers.

Sir H. Parryell was of opinion that the power of prohibiting the importation of corn might be abused.

Mr. C. P. Thompson objected most strongly to the introduction of this clause. He objected to it on principle in the first instance, and as contrary to the professed
doctrines on which the trade of this country was to be regulated; but he objected to it more particularly, because he considered it as liable to misinterpretation in foreign countries, and likely to raise feelings of animosity and of jealousy, which it was our interest most certainly to avoid. He would instance Russia. It was well known that we had no treaty of reciprocity with Russia, and he felt convinced that this clause would be considered in that country as a blow aimed at their commerce. The utmost jealousy and distrust already prevailed in that country, on the subject of our restriction regulations, and especially as regarded corn. He was sorry to say they had been materially increased by the new law. It was only that day that answers had been received from St. Petersburgh to the letters conveying the resolutions proposed by the Secretary of State, and they were considered to be almost as bad as the old system. The new plan was considered to be a finishing blow aimed at the commerce of that country. These were not only the sentiments of the merchants and landowners, but of the government. A newspaper edited under the eye of the authorities there, said of the resolutions, that the proposed law was a final blow aimed by Great Britain against the agriculture and industry of Europe. Such were the feelings entertained by that country, which it was not our interest to excite. He, therefore, earnestly hoped that the right hon. gentleman would reconsider the clause, or reject it altogether. After some desultory conversation, the clause was agreed to. The House then resumed.

HOUSE OF LORDS.

Monday, April 9.

STATE OF THE MINISTRY.] Lord King said, that seeing half a dozen of his majesty's ministers present, such as they were, he wished to ask them two or three questions. He would not ask them whether or not the Irish were starving; for about that they knew nothing, and he believed cared nothing. He would not ask them about things nearer home—he would not ask them whether England was prosperous—for that was a part of the government which belonged to none of their departments. He would not ask whether Portugal was safe or not; for one half of them would rejoice if the plan were to fail, which the other half had adopted to give security to Portugal. He would begin secundum artem, by asking that question first, which he cared least about: he would first ask whether the present ministerial interregnum was ever to have an end? He would ask them, who were twelve jurymen sworn to give good advice and true, whether they had yet selected a foreman, or consented to receive a master? Whether the ministry were complete or not, was to him a most unimportant matter; for of all the animals in the ministerial menagerie, the prime minister was the most unnecessary. He stated this advisedly, and on the highest authority. In the year 1800, an experiment had been made of what sort of a thing it was possible to make a minister; and by the experiment it had been ascertained, that you might make a jack-boots a prime minister. Now, an experiment was trying, whether the country could not go on without any minister. First, it had been proved, that any person would make a minister; and now it seemed to be ascertained, that no minister at all was wanted. He was surprised that the noble and learned lord who had such a hatred of innovations, did not raise his voice against this dangerous innovation. If this year it was ascertained, that any body might be minister, and the next that we could do without one, was he not afraid that, in a short time, innovation would extend, and his majesty might do without something else? The second question he wished to ask was, whether there was any truth in the alarming reports which were in circulation of the falling-off of the revenue? It had been stated in the newspapers, that the quarter's revenue was 500,000l. short, and that of this 400,000l. was a falling-off in the excise. During the time of our prosperity; the increase of the excise, they were told, was a strong proof of the increasing comforts and wealth of the people; and he wished to know, if that excise had fallen off, whether the ministers would acknowledge that that was a proof of our decline? He would further ask, whether the ministers could give them any hope of a restoration of public credit, or would they say, what he believed, that it was not likely to be restored? If he were to ask them why the revenue fell off, and why public credit was not likely to be restored, they would give, no doubt, a variety.
of reasons, but they would not give the true one; they would not say it was all done by the Corn-laws. The Corn-laws impeded prosperity, prevented the restoration of credit, and injured the revenue. Another question he wished to ask was, whether, under these circumstances, they were determined to maintain that plan of profuse and extravagant expenditure which was laid down when the revenue was fruitful and the country prosperous? Were all the palaces to be finished on the same scale as was voted when there was more revenue than they knew how to expend? In all well-regulated monarchies—at least it was so in the time of Louis 14th—if his majesty's minister of the Menus Plaisirs were sick or were to die, not a single half hour would elapse before his place would be filled up: if one palace were to be pulled down, and two others built, a superintendent would be immediately appointed, possessing a fine taste and a strong love of profuse expenditure; but when a minister died, or fell sick, on whose exertions the good of the country depended, who was the superintending genius of the country's welfare—his place might remain five or six weeks unoccupied, or the appointment might be postponed, sine die, until the intrigues had worked themselves out, or until the intriguers had failed in their attempt to give us a government good for nothing; then, and not till then, was it likely that the people would have a government good for something. To keep himself perfectly in order, he would conclude by moving, That there be laid before their lordships a return of this quarter's revenue, as compared with the revenue of the foregoing quarter.—Ordered.

Spring-Guns Bill.] Lord Suffield moved the third reading of this bill,

Lord Ellenborough rose to oppose the motion. He could not, he said, consent to pass an act, which left the law on this subject in its present state of uncertainty. This would be the case as long as the word engine was retained in the bill. That word, in its widest sense, meant any thing which might inflict an injury, and their lordships would be obliged to remove every thing like a spike or a fence from around their houses. In a more restricted sense, if it were understood to mean any thing which only inflicted injury by being set in

motion, it should be so expressed, and the law should be made more precise. It was stated, in defence of the bill, that it was a maxim, "qui facit per alium facit per se;" and though this was true, it was not the whole truth; for if persons setting Spring-guns gave proper notice, the law held that it was not they who committed the injury, but the thief who came to invade the property, and was shot in the attempt. He was persuaded that the contests between the gamekeeper and the poacher, to which the bill would give rise, would do much more harm than Spring-guns did. It had been argued, that the accidents resulting from Spring-guns ought to induce parliament to abolish them. If, however, they were to legislate against accident, their labours would be endless. The object of setting Spring-guns was not personal injury to any one, but to deter from the commission of theft; and that object was as completely obtained by hitting an innocent man as a guilty one. He conceived that the bill was contrary to that principle of the English law, which gave a man protection for his property, in proportion to the difficulty with which it could be protected by the ordinary means; and that it was calculated to increase the temptation to crime, by diminishing the obstacles to its commission. If, however, the bill should be rejected, either in that House or elsewhere, he would introduce another, declaratory of the law as it stood. This would, in his opinion, be much better than any change; for he had frequently heard from those, whose knowledge and experience gave them ample opportunities of judging, that where any innovation was made upon the common law, it generally appeared afterwards, that the principle thereby abrogated was a wise one, and that our ancestors knew very well what they were about.

Lord Suffield said, that all the arguments urged by the noble lord had been so frequently answered in former debates, that he would not trespass upon their patience by any further reply to them; satisfied as he was, that they considered the bill a good one, and that they would pass it.

Their lordships divided: Contents 28, Not-Contents 19. Majority 9. The bill was then read a third time.
The humble Petition of some of the Inhabitants of the Town of Brighton, complaining of the serious evils which arose from the abuses of the practice of the County Courts. The petitioners alleged, that these Courts frequently granted seizures for sums treble the amount of the original debt, and this enormous increase was generally caused by the costs, which swelled up every thing else. The hon. member stated, that some matters which had fallen within his own experience fully proved the truth of the statements contained in the petition, and among others he mentioned the case of a poor woman, who was sued for a debt of 14s., and an execution being taken out against her for that sum, and for 15s. costs upon it, her goods were seized for a sum considerably exceeding the amount of both debt and costs; her bed, her pillows, and several other articles of furniture were taken from her, and in this case, as in others of a similar kind, nothing was returned. The bailiff, in this case, was summoned before sir David Scott, than whom a more worthy magistrate never existed, and was by that gentleman bound over to appear and answer at the sessions. The bailiff, however, who knew that other charges of a similar kind could be brought against him, decamped before the time appointed for his appearance, and the poor woman had, consequently, been unable to obtain any redress. There was another evil, to which he wished also to allude, and that was, that persons summoned for small debts were sometimes served with the summons only on the night immediately preceding the day appointed for their appearance at the County Court, which was sometimes as much as eight miles from their residence, and where they were desired to appear by attorney. The worthy magistrate to whom he had already alluded had told him, that there were above fifty cases of the kind he had mentioned, and had expressed an earnest wish that the matter should be laid before parliament. With that wish he now most willingly complied; and he should only add his opinion, that the subject was one which loudly called for the serious attention of the House.

The petition was as follows:

"That your petitioners have suffered very greatly themselves from having had their goods seized to more than treble the amount of their debt, which had been swelled by large costs, and against which, from the peculiar mode of proceeding, it was impossible for them to have guarded; it being no uncommon practice for a person to receive a summons for an insignificant debt of a few shillings, to appear, by his attorney, at the county court, seven or eight miles off, on the following morning; and, in case of failure, to have an attachment levied against his goods, followed by an immediate seizure. That, by these oppressive means, some of your petitioners have been nearly involved in total ruin. That the ordinary costs for defending an unjust or doubtful debt are so great as to be utterly beyond the reach of many of your petitioners, who have no alternative but to submit to the unjust demand, or be subjected, in many instances, to utter ruin.

"That your petitioners are well aware that, owing to the vigilance of a newly-established institution of the town, and to the activity of some of the magistrates, some of the evils have been remedied; but your petitioners humbly suggest they have no security if that vigilance and activity should cease; and they pray may not again be subject to the same oppressive measures; besides which, many of the evils alluded to are irremediable, but through the interference of your honourable House.

"And your petitioners humbly pray that your honourable House will take their case into your most serious consideration; and that you will adopt such measures as your honourable House may deem fit, to put a stop to the recurrence of those grievances, under which many of your petitioners have so greatly suffered. And your petitioners will ever pray," &c.

Mr. M. A. Taylor confirmed what had been stated by the hon. member, and declared, that he believed no persons were
ever more infamously treated than those who unfortunately came under the power of the bailiffs of the county courts. He recommended the subject to the serious attention of the Secretary of State for the Home Department. He trusted that he should soon see some measures adopted, that would put an end to the means which these reptiles now possessed of extorting money from the unfortunate.

Mr. Monck concurred with the observations of his two honourable friends, and begged to add his testimony, with respect to the evils caused by the abuses of these courts.

Ordered to lie on the table:

DEVON AND CORNWALL MINING COMPANY—PETITION COMPLAINING OF ABUSES.] Mr. Alderman Waithman rose to present a Petition from certain subscribers to the Devon and Cornwall Mining Company, complaining of the transactions of the directors of that company. He observed, that the subject of the petition was one of great importance, inasmuch as it not only involved the reputation of some of the members of that House, but even, as it seemed to him, the character and honour of the House itself. The petition, too, the more deserved their attention, as it did not contain a general complaint accusing any one in vague terms, but consisted of a number of distinct facts, stated in detail. It stated, among a variety of other things, that an hon. gentleman, a member of that House, did, some time in the month of April, 1825, enter into a contract with a Mr. Teed, of Devonshire, for the purchase of certain mines in that part of the country—that the contract so entered into between them was conditional, and not absolute, and was to become void, unless the hon. member who made it should succeed in forming a Mining Company. The purchase money agreed on was about 78,000l.; and at a meeting held at the Albion Tavern, in the city of London, soon after the contract had been entered into, it was resolved to form a company for the purpose of working these mines. The resolution which that meeting passed, declared, that the purchaser had obtained possession of the mines in question, at a very reasonable rate; and that resolution was said to have been made after an accurate inquiry had been instituted into the matter; these mines being then described as very valuable. The mines thus recommended were to be purchased by the company, who were charged 121,000l. for them. At this first meeting Mr. Barrett, an hon. member of the House, was in the chair; and at a second meeting, held a few days afterwards, when Mr. Peter Moore was in the chair, a prospectus of the intended company was issued; a prospectus, which the petitioners declared to contain false and fraudulent representations respecting the property. Out of the gross number of shares determined to be issued, 2750 were to be reserved for the benefit of the directors, who were to lock them up in a tin box; which was only to be opened when the necessities of the company should require. Some time afterwards the directors, in order to raise the price of shares and to give them a fictitious value in the market, purchased, as time bargains, from certain brokers, one thousand shares of the company, for which they paid a sum of six thousand pounds, which was charged to the company at large in their accounts.—The facts which he had already mentioned were, in his opinion, sufficient, not only to excite the attention of the House, but to call upon them to take some decisive steps to vindicate the honour and purity of parliament; to visit with condign punishment those whom they might find to have been guilty of taking any part in this fraudulent proceeding; and to guard against any repetition of such practices.—But the circumstances he had stated were not all which were described in the petition, as affecting the honour and character of the members of that House. Mr. Wilks, the honourable member to whom he had alluded, was to have entered into the contract for the purchase of the mines at the time, not only agreed to sell them to the company, but received a sum of 20,000l. on account; a sum which was actually paid by a check from the directors, before he had obtained a complete and absolute interest in the property. New agreements for the sale of the mines were entered into, and the 45,000l. obtained over and above the original price, were agreed to be divided among the directors. That seemed to him to be one of the most serious parts of the petition, and certainly, if true, was a pretty strong proof of fraud to that extent. It appeared, too, that the calls due on the 2,750 reserved shares, had not been paid up; and, that they should have remained unpaid after the investment of the rest,
seemed to create some degree of suspicion, that the agreement which existed between the directors, upon the subject of these shares, was fraudulent. That suspicion was strongly confirmed by the statement of the petitioners; who alleged, that the effect of this reservation of shares was, that if they came to a high price in the market, so as to afford a good profit, the directors would have been enabled to appropriate it to themselves; while, if the shares fell, the loss could be thrown on the company. Some of the directors, when informed of the transaction of the 2,750 shares, certainly had expressed the greatest astonishment, and had declared, that they were entirely ignorant of the matter; but the fact was, that not only the money had not been paid up, but that though it still remained unpaid, another call had been made on the share-holders, and actions had actually been commenced against some of them for their subscriptions.—In stating these facts, he certainly was bound to say, that among the directors there were many very respectable names; ten of them being noblemen, baronets, and members of that House. Some of the directors he was personally acquainted with, and he entertained the highest respect for them; and he did believe, that if an investigation was made into the subject, it would be found that they had committed no other fault (a heavy fault, however, as he was ready to contend) than the folly of having connected themselves with such transactions. The hon. member concluded by observing, that the petitioners prayed that the House would inquire into the claims they now made for redress, and that such measures might be adopted as seemed calculated to afford the redress they sought. If the House should not be prepared, after the petition had been read, immediately to grant a committee of inquiry, he should be the last person to press such a measure upon them; but he should certainly move, at an early period, for a full inquiry into the subject. At present he should confine his motion to the bringing up and reading of the Petition.

The Petition was brought up; and on the question that it should be read,

Mr. Alderman Watkinson requested that it might be read at full length, as it contained such important matter.

Mr. John Wilks said, that he too was anxious that it might be read at length, as he had something to say upon it.

On the question that the Petition be printed,

Mr. Wynd requested the House to consider whether it would be expedient to adopt this course. The House of Commons was not a criminal tribunal, it was, indeed, one of the chambers of the supreme Court of Parliament, and its duty was to afford redress in cases for which the law had not otherwise provided; but he could conceive nothing more injurious to, or subversive of, the principles on which the law of the land rested, than for parliament to permit itself to determine cases for which that law had given a sufficient remedy. He knew the facts only from the petition; and, as he understood them, the charge referred to an individual who was not a member of the House at the time when the ground of complaint arose. He was accused of having been guilty of certain acts of fraud, for which he might be questioned in a court of justice; and he understood further, that proceedings at law were actually pending [hear, hear!]. Was it desirable, then, that the party accused should be called upon to enter into a defence which might prejudice his case hereafter? Unquestionably the House of Commons was competent to enter into any inquiry if it were thought that the public interest gravely required it, and with a view to direct the proceedings to be made by the law officers of the Crown. If the matter, however, did not seem of such magnitude, and if it was actually already pending in a court of law, it would probably be left to the investigation of that tribunal which the parties had already selected. A necessity might exist for stepping out of the ordinary course, but it might be highly inconvenient, in ordinary cases, to require a member prematurely to enter into the merits of his case. He therefore recommended that the Petition should lie upon the table, but that no further publicity be given to it by an order for printing it.

Lord Palmerston said, that it was a matter of perfect indifference to him how the House proceeded; but, as his name had been mentioned as one of the directors, he hoped to be allowed to state briefly and simply the nature of his connection with the company. In the first place, he had had no concern with any arrangements for the formation of the company; at the meeting for that purpose, alluded to in the petition, he was not present. It was
certainly true that the hon. member for Sudbury was expected to derive considerable profit by purchasing these mines, and then selling them to the company. Of that profit he was totally ignorant, until the fact was made known to him, in common with all the rest of the community. If certain persons who were directors agreed to share with that individual any portion of that profit, he was not one of them; and he had no participation of any kind in the transaction [hear, hear!]. He had subscribed to this undertaking, believing that it was a bona fide speculation, and that there was a fair prospect it would succeed; he had, therefore, embarked a part of his money in it, and he had certainly thought that, by becoming a director, he should be able to see that the affairs of the company were properly managed. He had only attended on five occasions the meetings of the directors. This was simply the nature of his connection with the company, and from the beginning to the end of it, he had not received sixpence, but had paid up very nearly the whole amount of his subscriptions. If the persons who signed the petition had done the same, their situation would have been more honest before the world, and more creditable before the House [hear, hear!]. It was not honest for individuals to subscribe nominally to an undertaking, in which others were induced to embark on the faith of the supposition that they had paid in a certain amount of capital corresponding with their nominal subscription, and then, when they found that they could not make a miserable profit by trafficking in the shares, to attempt to withdraw themselves from all responsibility. Such, however, was the condition of the petitioners. Proceedings at law had been commenced against them, to compel them to pay up their subscriptions; and he was convinced that the main object of the petition was to induce the House to interpose its authority to screen them from those proceedings. He had stated fairly the whole of his connection with the company. He feared not to have his conduct, in this, or in any other transaction, strictly and publicly investigated. It was to him a matter of indifference how the House dealt with the petition. He would not vote at all upon the question, and would conclude by stating, that so far as he had been concerned with the company, it had been a transaction of considerable loss, without the prospect of advantage [cheers].

Mr. Powlett hoped, that as he also had been alluded to in the petition he might be allowed to address a few words to the House. He knew nothing of the original formation of the company. He entered into it about the same time as his noble friend opposite. He had nothing to do with the purchase of the mines. All the preliminary measures were arranged before he entered into the company. When he received his shares, he paid the deposit which was demanded. He attended very few of the meetings, for he saw in the list of directors the names of two or three bankers, and of other individuals connected with eminent mercantile houses, which he considered a sufficient guarantee for the respectability of the company. He had paid every deposit when called upon, and had not received a single farthing. If any individuals had received money improperly, he regretted that his name should have been coupled with theirs. He hoped he had justified himself in the eyes of the House [cheers].

Mr. John Wilks, member for Sudbury, rose and said:—

Sir; notwithstanding the desire expressed by the hon. member who spoke second in this debate, that the House would at once terminate any discussion which might be likely to occur, by rejecting this petition, and notwithstanding the apparent feeling of the House in favour of such a proceeding, I trust, Sir, that after the allusions which have been made to me by the right hon. Secretary at War, and by the hon. member for Durham, and after the yet more distinct allusions to myself contained in the petition, now proposed to be referred to a committee, the House will allow me to enter into a statement of facts and circumstances connected with the company under discussion. And, Sir, in making this request, allow me also to connect with it another, that the House will favour me with its best and most impartial consideration. As an inducement, Sir, to this line of conduct on the part of honourable members, I beg to call to their recollection the golden rule of "audi alteram partem." I beg permission to remind them that I have enjoyed but for a short period the honour of a seat in this House; that this is the first time upon which I have drawn on their time or attention; and, above all, that the subject of
consideration is personally to me of the utmost importance.

Let me, then, Sir, entreat of this House to follow me with candour and attention through the refutations, which I shall attempt, of the calumnies contained in this petition, and I then fear not the result of this discussion. I am not unaware of the difficulty which to myself I have assigned. I am not ignorant of the calumnies which have been heaped on me without, and even within, the walls of this House. I know that calumnies, oft repeated, become accredited, and that the poison of slander is not less insidious than venomous. I know that the duty I am about to perform is, however, a duty due to myself, to my family, my friends, my constituents, this House, and the country, and, therefore, Sir, though the task be unpleasing, and the discussion uninteresting, I approach it with the conviction that I must perform my duty.

I envy not, Sir, the hon. member who presented this petition, his feelings or situation this night, for I venture to assert, at the commencement of my observations, that the petition he has this night presented, is one of the most impudent attempts to deceive the legislature of the country ever made in this, or any other national assembly.

The statements contained in the petition are either in some points wholly untrue, or falsehood is so blended with truth, as to render the discovery of what is correct almost impossible. This is not the first petition which has been got up, though not presented. The hon. member who has presented this petition has admitted to me that one other was brought to him, but that it did not accord with his taste or wishes. I suppose, Sir, it was not sufficiently savoury to suit his palate. I suppose, Sir, it did not contain enough of that spice, called slander, which is so necessary, in the opinion of some members, to render a petition desirable. I suppose, Sir, that it did not sufficiently attack the conduct and character of certain members of this House, who are personally obnoxious to the worthy alderman.

But, Sir, at length, the hon. member framed a petition to his own taste, and that is the petition read at the table of this House. To obtain signatures to it every effort has been made. Public meetings have been called, at which shareholders would not attend. Resolutions have been passed by persons who, when they passed them, had no interest direct or indirect to protect; who do not, did not, and never had, held shares. Subscriptions have been proposed, but no money has been paid; a contribution of two shillings and sixpence per share was to have been made for the purpose of prosecuting the directors, but the shareholders wisely preferred retaining their money. Every plan and expedient has been adopted, and resorted to, for the express purpose of injuring private reputation, and of blackening private character. A petition was, at length, ordered to lie at Batson's Coffee-house for signature, but when sought for it was not there. No one would sign it, till, at length, the petitioners, for reasons I shall presently explain to the House, agreed to this hole-and-corner petition, no one knows where, or how, and intrusted it to the care and protection of their worthy and independent representative, the honourable alderman, who has this night presented it.

By the threat of this petition, the petitioners expected to obtain much; they said to us, if you will not obey our dictation we will petition against you. You shall be expelled from the House—or if not expelled, we will disgrace and annoy you.

Every threat and every plan of intimidation has been resorted to, but without success, and to-night the petitioners will have the satisfaction of perceiving their petition ordered to lie on the table of the House. But, Sir, what is this petition? and who have signed it? It is a petition, Sir, praying for inquiry, pending suits and actions in the courts of law and equity, and into the very matters respecting which those actions and suits are instituted. It is a petition which admits that actions are pending, and yet which solicits that the real point in issue in such actions may first be settled or pronounced upon by a committee of this House. The fact is, Sir, that the greatest portion of these petitioners are shareholders, or partners in the company, who have signed a deed—who have bound themselves to perform certain covenants, and to pay certain monies—who have actions brought against them, or if not brought against all, yet about to be brought, for the non-performance of their covenants, and for the non-payment of their contributions. These petitioners, or some of them, have pleaded to the actions that the company was got up in a fraudulent
manner, and that by fraud they were induced to belong to it. To these charges the directors reply—we are not guilty, and this issue is about to be tried. Yet, although only two hours before I came to this House to day I was served with a subpoena, by the solicitors to Mr. Hammond, one of the petitioners, to appear on the 28th instant on the trial of his cause, the petitioners, with a view of defeating justice—with a view and intention of prejudicing the jury in their favour—with a design by stratagem to succeed in obtaining that which justice would deny to them, have sent down this petition by the hands of their honourable representative, and have asked, through him, the appointment of a select committee.

Now, Sir, who have signed this petition? Thirteen individuals, one of whom desires to withdraw his name—four of whom are not, and never were, shareholders in the company—and the remaining number composed of defaulting partners, who either cannot or will not complete their engagements. Now, Sir, these nine shareholders are one-ninth in number, and no more, of the great body of shareholders. And as to value as well as number, why, Sir, the petitioners scarcely represent one-sixtieth of the capital subscribed. Nine out of eighty-one, and 1,000l. out of 60,000l. are somewhere about the proportion in number and value of these petitioners. But then the House will doubtless be told, "aye, but there are four scrip-holders" have signed it. This is, however, a delusion, for now there are no scrip-holders, and can be none. In order that this objection may be understood, it is necessary to state, that when a company is formed, after the prospectus is issued, and the necessary meetings held, the first proceeding is for the subscribers to pay into the hands of the banker a deposit of so much per share for every share they apply for, and intend thereafter to hold. The bankers, on receiving this contribution, give a receipt for the money, and this is called scrip. The deposits being paid, the deed of partnership is then prepared, and the shares regularly drawn out for the subscribers. When these steps are taken, a call is made of so much per share, and the subscribers or holders of the bankers' receipts are required to sign the deed of partnership—pay the call made—deliver to the company the bankers' receipt, or scrip—and receive in exchange shares according to the number for which they may pay. When this formal proceeding takes place, some of the original subscribers not unfrequently finding it inconvenient to go on with the proposed partnership, and make good their engagements, prefer forfeiting the deposit paid to the bankers, and therefore decline signing the deed, and exchanging of scrip for shares. This sacrifice of what has been paid, is perfectly just and reasonable, since, if persons by professing to become subscribers, or by becoming so, induce others to join, and to incur a great expense, it is but honest that those persons should at least sustain their proportion of the expense incurred, to the period they may quit the company.

Besides this, Sir, the scrip is forfeited, is valueless, exists only in name, and is mere waste paper. The parties possessing it may have acquired it by weight, at the price of waste paper, and therefore, even though they may hold scrip, or what was once scrip, they possess only the symbol or sign of what has long since been declared forfeited. And the reason, Sir, is quite obvious. The parties, when they subscribed and received their scrip, did so for the purpose of becoming partners in the company, and of paying 50l. per share for every share they subscribed for; but when the partnership deed was prepared—when the shares were ready—when the partnership assumed a legal form—and when a further portion of subscribed capital was required to be paid, the scrip changed hands—the price fell in the market—what had cost 5l. was then sold for 3l., 2l., or 1l., and then the holders either paid the second instalment of 10l. per share, and signed the deed, and received their shares—or else, like these scrip-holding petitioners, they preferred forfeiting the deposit of 5l., and retiring from all future responsibility and payment. The parties, therefore, who in this, or any other undertaking, set up any claim as scrip-holders, after that scrip has been forfeited, do so in violation of every principle of law, honour, and justice. Yet four of these claimants are parties to this petition, although they have no interest to protect—no property in the company to watch over—and can be only influenced by a motive, to say the least of it, of a most suspicious and questionable kind.

And what, Sir, let me also inquire, is the situation of the nine bond fide shareholders who have signed this petition?
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Why, the directors made a call of 5l. per share, payable in October last. Have they paid such a call? No. Is their non-payment acquiesced in by the directors? No. Actions have been brought against all or some of them. In answer to such actions, they had pleaded pleas of fraud.

The directors pity their mistaken views, and smile at their defence. The day, however, is fast approaching, when the merits of such pleas will be tried by a jury. Even this day I have been served with a subpoena, to appear as a witness in the cause of "Moore and others against Hammond," and yet this very Mr. Hammond, with his cause appointed for trial on the 28th instant, presents a petition to the 9th, praying the House to institute an inquiry into that which is the subject of legal investigation. I charge, Sir, the petitioners with a design to prejudice the jury in favour of their defence. I charge the petitioners with a design to defeat the ends of legal investigation, to poison the fountains of justice, and to obtain, not an impartial, but an unfair and partial decision. But in this, however, I feel confident they will be mistaken, for although jurymen are but men of like passions with ourselves, yet I too highly respect the character, and consider the independence of a British jury too undoubted, to fear that eventually these artifices will prevail.

The petitioners have also another object to gain. They design to defeat my claim for the balance of 70,000l. due to me for the mines purchased. I claim a fulfilment of the contract. I insist that it was a fair, legal, honourable, bond fide sale. I have prepared, or rather, I should say, a gentleman at the bar, of great talents, and high character, has prepared a bill in Chancery, to compel the completion of the purchase, and the payment of the purchase money into court. The bill will ere long be filed. The petitioners know this. They know that towards such 70,000l. they must contribute—but instead of pleading their poverty, or stating their inability to make good their engagements, which would be a subject of pity and regret, and not of reproach—instead, I say, of so acting, they prepare and present this petition, and pray it may be referred to a select committee, hoping thereby to prejudice the judge, before whom the case must be argued, against the validity of my claim.

In this, however, I feel equally confident that they will experience disappointment, and that they will eventually be taught that valid contracts are not easily to be set aside, and that sales and purchases are matters of too grave a nature to be trifled with by individuals possessing the loose morals and principles of some members of the Stock Exchange.

If, Sir, their cause be good, there is no necessity to adopt this form of proceeding. If the matter of which they complain be of a criminal nature, let them resort to the criminal courts; if of a civil nature, to the law courts; if of an equitable nature, to the courts of Exchequer or Chancery. Or, if dissatisfied with these modes of inquiry, let them attempt to dissolve the company. Let them convene the meetings required by the deed of settlement, and endeavour to dissolve the company, and then they will discover the insignificant minority of which they are composed.

When, Sir, the nine petitioners, who possess some interest in this company, have adopted these measures without success, then it is surely time enough for them, if they have any grievances to complain of, to come down to this House and ask for its interposition. But of real grounds for complaint they have none. Shares are unpopular, money is scarce, prices are low, persons have speculated beyond their capital, and now, because of these circumstances, and these only, the petitioners turn round upon myself, and the directors of this company, and practically say, "Although we entered into this company with our eyes open, although the mines are good, and the concern might be carried on advantageously; although we have bound ourselves to assist in so carrying it on, yet we have changed our minds, our money is disposed of elsewhere, and we will now examine into the original constitution of the company, and impute fraud, and excite sympathy, and thus endeavour to obtain relief."

This, Sir, is the real character of this petition, and these are the real motives and objects of the petitioners. Let me call the attention of the House to the twelve charges which the petition contains; and in so doing, let me beg of the House to bear in mind the charges as I proceed, and see whether to each I do not supply a clear and satisfactory refutation. Before, however, I proceed to those charges, let me call the attention of the House to
two or three leading facts connected with
the petition and the company. The peti-
tion sets forth, that a prospectus was
printed and circulated; and that, upon the
faith of this, the petitioners were induced
to subscribe. This is perfectly true as far
as it is stated, but the petitioners should
have added that the prospectus consisted,
not of a few lines or sentences hastily
thrown together, or of high-sounding names,
but without facts or data to support them,
but that the prospectus consisted of twenty-
two printed octavo pages, that it not merely
supplied the names of the mines, but their
locality, their mining condition, their dis-
advantages as well as advantages, their
dark as well as their bright side of the pic-
ture, that it even set forth the written re-
ports of the various persons who had ex-
amined and reported on the mines by
name. The prospectus stated that these
mines had been purchased, and that those
who subscribed would subscribe to pay for
them. The petitioners have omitted also
to state another fact, which makes so
much against them. They have omitted
to state that, to which I particularly in-
vite the attention of this House; namely,
that before one single shilling of this capital
was paid, each person who had applied for
shares, and to whom shares had been al-
lotted, was supplied with a printed copy of
this prospectus, and allowed some days
for its consideration, before they were re-
quired to determine whether they would
pay or decline the shares. This I con-
consider most important, and especially,
when the clauses, as to the proposed go-
vernment of the company, contained in
that prospectus, are considered. In many
other companies, payment was first re-
quired, and then a prospectus followed.
But here the prospectus preceded the pay-
ment. In many other companies payment was
first required, and then followed the names
of directors and officers, but in this asso-
ciation the names were first supplied. In
many other companies payment was first re-
quired, and then followed a statement
of the proposed plan of regulation or go-
vernment, but in this, payment was the
last thing required, and no one was ex-
pected or invited to join it, until he had
first fully satisfied himself not only of
the nature of the undertaking, but even of all
its minor arrangements. Nor can indi-
viduals plead exemption from this, on any
ground whatever; for this long prospectus,
of twenty-two pages, was actually inserted
in the public papers, besides being sent
to every individual with the letter allot-
ing the shares. The plea of ignorance, there-
fore, is here untenable, and no shareholder
in this company can honestly and fairly
seek to avail himself of such a plea.

Now, Sir, is it contended by the gentle-
man who has presented this petition, or
by the petitioners themselves, that the al-
legations in the prospectus were untrue?
Certainly not. Is it alleged that there
were no such mines as those mentioned?
No. Is it alleged that the mines are bad
or valueless? No. Is it even alleged
that too much money was paid or agreed
to be paid for them? No. Then, Sir, is it
alleged that the state of the mines, as de-
tailed in the reports of the surveyors em-
bodied in the prospectus, were untrue?
No. Is it even alleged that the names of
the directors and officers mentioned were
placed there without their permission, or
that they were dishonourable, or ignorant,
or improper men? No. Is it alleged
that the deed of partnership is objection-
able, or at variance with the prospectus?
No. And even if it were, the following
clause at the end of the prospectus, and
to which I invite the attention of the
House, would answer such an objection.
For so cautious, Sir, were the individu-
als who established this company, that there
should be no possible mistake respecting
it, that they inserted the following
clause:—"The Company is governed by a
Board of eighteen Directors, exclusive of
the Chairman and two Deputy Chairmen.
The affairs of the Company will be managed
under a Deed of Settlement, which, when
approved and signed by the majority of the
Directors, will be deemed the Deed of Set-
tlement for regulating the Company."

What then, Sir, I ask, is alleged in this
petition, and what are the pretended rea-
sons for requesting this House to appoint
a Select Committee? Yes, Sir, the peti-
tion prays for the appointment of a Select
Committee, as in the case of the Arigna
Company. I should have thought the
honourable member who presented this
petition had had enough of such commit-
tees and such investigations. The honour-
able member who moved for that commit-
tee is welcome to enjoy the triumph of that
investigation, and to congratulate himself
upon its issue; but as far as I know the
opinions of others, there is towards Mr.
Brogden and Mr. Bent but one feeling—
that of congratulation to these honourable
members, who have come out of that investigation so fully acquitted.

The first charge, Sir, which the petitioners make, is, "that the annual meeting, which should have been held in April, 1826, was not so held till June!" Now, let me ask the hon. member, what injury resulted from this either to the shareholders, the directors, or the company? None. None is even alluded in the petition. But this is not the only answer to the charge. The deed of settlement required that all accounts of the company should, in every year, be made up and audited to the 31st March, to be submitted to the annual meeting to be held in April. But after some time, the directors found this to be impracticable. In consequence of the nature and mode of keeping the accounts of mines in Cornwall, one or two months must always be in arrear. Indeed, before the middle of May, the directors could not procure the accounts to the 31st of March, as directed by the deed; and therefore, as the directors were obliged either to hold the meeting in April, without the accounts being ready for inspection, or to postpone the meeting, they resolved on postponing the meeting till June. And they were additionally induced to adopt this determination, from the circumstance that the manifest object of the deed was to secure that, when the annual meeting was held, the accounts of the preceding twelve months should be laid before the meeting, but if the meeting had been held in April, the report of the directors could only have been a report of the first nine months. The meeting would, however, have taken place in May, but for the dissolution, or expected dissolution, of the last parliament; and it was then said, postpone the annual meeting until June, because, otherwise, the shareholders will inquire, Where are your noblemen, and your members of parliament? Where are your directors now? and will, perchance, infer from their absence that they have abandoned the concern.

The second charge is—"That at the meeting held at the Albion Tavern, the persons present agreed to purchase the mines of Mr. Wilks for 121,000l." This, Sir, is perfectly true, but is there any allegation that the mines are not worth the sums agreed to be paid for them? The meeting was held before the money was required from the shareholders—the mines had been examined and reported on—the reports were laid before the meeting—they were printed and circulated—the prices paid for the mines were not kept secret. As well might an individual complain that an estate was sold by auction for 70,000l., simply because it was so sold, and simply because the price was 70,000l., as for these individuals to complain that the price given was 121,000l., without stating that they are prepared to prove, by the most undoubted testimony, that it was an excessive and exorbitant sum, and not excessive or exorbitant now, but then, namely in April, 1825, since the House will recollect the price of shares in mines at that time—the standard price of copper at that time—the state of these mines at that time—and the saleable price at that time. A valuation now, when the mines have been neglected—when the machinery is getting out of order—when the water in some has been gaining ground for months—when trade is stagnant—when joint-stock companies are unpopular—when capital is scarce, and the spirit of enterprise and speculation checked; I say, Sir, a valuation now would supply no criterion, unless the valuation was made with reference to April, 1825. For, after all, the House must remember that the value of a mine, like the value of a field, is what it will fetch. Now, Sir, is it alleged that, after taking all these circumstances into consideration, and making all these allowances, the sum of 121,000l. was still excessive and fraudulent? Not one syllable has escaped the lips of the worthy alderman to that effect, nor is there one word bearing upon it in the petition. Why had not these parties sent down unsuspected surveyors of first-rate character, knowledge, and talent, to report on the nature, capabilities, and probable value in April, 1825, of the mines and machinery? and why did they not present such reports to the notice of the House? I have invariably said, if you can prove that I asked too much, and that you agreed to pay too much, then establish your case, and I will make a deduction from my contract price, but it is too much to ask the House to impugn my contract, and pronounce the price agreed on to be enormous, without evidence, or without statement. I have over and over again offered to refer this to arbitration—to the arbitration of any honourable and respectable men, but the offer has not been acceded to. And as to the testimony
of shareholders, some shareholders who have visited the mines, or employed persons to visit them, have reported on them most favourably. Every shareholder has also had an opportunity of inspecting them—they are in no distant land—in no trackless forest—in no desert country, or impassable mountain. They are not three hundred miles from the Metropolis of the British empire—they are situated in Cornwall—they can be easily discovered and inspected. Yet, though this has not been done by these nine petitioners, they make it a leading feature in their complaint, that 121,000L. was agreed to be paid to me for the mines. Is concealment of the price alleged? No! that was impossible. The mines were bought at a meeting openly—at a meeting held at a public tavern in the city of London—the separate prices agreed to be given for each mine distinctly stated—the prices given by me for each mine stated with equal distinctness—the value of each mine was canvassed and discussed—the reports on each mine were read—my agreements for the conditional purchase of each mine exhibited and perused—a calculation made of the profit I might realize—and then the following Resolutions adopted, unanimously, and to which I call the attention of the House. They are these—Resolved Third—that it appears to this meeting, that Mr. Wilks, of New Broad-street, is possessed of many very valuable and approved mines, and that the reports of captain Richards, captain Teague, and captain Champion, have satisfied this meeting of the expediency of purchasing the mines. Fourth.—That this meeting therefore agree to purchase Wheal Boulton mine for 25,000L.; Wheal Nancy mine for 8,000L.; Wheal Fancy mine for 12,500L.; Wheal Crenver, Oatfield, and Chance, for 30,000L.; Wheal Abraham and Wheal Drym for 4,000L.; West Wheal Wellington for 7,000L.; Great Wheal Fortune for 11,500L.; Wheal Barnard for 11,000L.; and West Wheal Vor for 12,000L.; making together the sum of 121,000L. Twenty-sixth.—That the Directors have the power to purchase (in addition to those already purchased of Mr. Wilks) such other mines in Cornwall, or Devonshire, as they may deem eligible for the interests of the Company."

What became, Sir, of these Resolutions? Were they secreted? Were they deposited in some iron box, as a document unfit for public inspection? No such thing; for let me trouble the House with nearly the last Resolution, which runs thus:—"Thirty-first.—That the foregoing Resolution be entered in a minute book, to be called 'The Proprietors' Minute Book,' and be signed by the chairman, and that a copy of the minutes be sent forthwith to each absent director." But it may be asked, were the Resolutions so entered, and copied, and distributed? Unquestionably. The Resolutions were entered in the Proprietors' Minute Book by a clerk of the company, and that Proprietors' Minute Book was open for the inspection of the shareholders, at the offices of the company, and was laid on the table to invite inspection.

Further, did I attempt to conceal that I was the vendor to the company? Did I introduce any other name? Did I hide the transaction, or hesitate to avow it? No. The Resolution I have already read must, I should think, have satisfied the House upon this point. Further, let me call the attention of the House to the fact, that three of the individuals, from whom I purchased some of the mines, became directors. I refer to Mr. Teague, Mr. Carne, and Mr. Reynolds. If I had wished to secret the circumstance, that I had made a profit on my purchase, or even to secret the exact amount of profit, should I have adopted this line of conduct, to introduce three gentlemen to the board of directors, fully cognizant of the facts? But though I concealed nothing in my proceedings, the worthy alderman, who has presented this petition, has been far less candid and open. I asked for an inspection of the names attached to this petition, and that individual has thought fit to refuse them [no, from Mr. Alderman Waithman]. The hon. member, Sir, denies this, and, as he denies it, I will show the House what that denial is worth. Sir, I applied, in the first instance by letter, to the hon. member, for a copy of this petition; at first he refused it, and said he had consulted some members, who said it was unusual; he, however, afterwards promised to consult the Speaker. In a few days he wrote me a letter, stating he would admit me to peruse the petition at his own house, before ten o'clock in the morning. This step I declined, preferring to inspect it at the Vote-office. But what did the hon. member leave there? Not the petition, but a sheet of paper, professing to contain a copy of the petition, but without a single signature attached to it. I then applied
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Two mines, namely, "Wheel Fanny," and "Wheel Fortune," the gentleman further pronounced very high opinions, and expressed his perfect satisfaction with the undertaking. Now, Sir, this was the testimony of an individual, much prejudiced at one time against the company, but who afterwards satisfied himself that his former opinion was erroneous, and then had the meekness and honour to state the result of his conviction.

It has, however, been urged, Sir, by some persons out of this House, that whilst those who attended the meeting have certainly no right to complain of the price given for the mines, those who did not attend have such right. Now, Sir, to this proposition I cannot possibly assent. Those who did not so attend were in no way prejudiced. First, because no deposit had been paid when the meeting was held. Second, because no prospectus was issued till after the meeting, and, therefore, persons were not asked to subscribe to purchase mines, with the names or nature of which they were unacquainted, since all these facts were detailed in the prospectus. Third, because the resolutions adopted at the meeting were open to the inspection of all parties who did not attend the meeting. Fourth, because those resolutions were entered in the Proprietors' Minute Book, kept open at the office, for the inspection of the proprietors at all times. Fifth, because the parties had abundance of time between the period when the prospectus was issued, and the deposit required to be paid, to make all necessary inquiries: and, sixth, because the nine persons who have signed this petition, and in fact all the shareholders, had months in which to make inquiries, and remove doubts, if any they entertained, before they exchanged their scrip for shares, and became formal partners.

For the reasons I have now stated, I therefore submit this House, with a feeling of the most perfect confidence, that the second charge follows the fate of the first. And I again protest against the conduct of these petitioners, who venture to insinuate the price agreed to be given for the mines at the time as excessive, without daring expressly to charge so; or without adding, or offering to seduce, one tittle of evidence to support the proposition.

The third charge contained in the petition, is—"That the directors made a
matter, it is a most simple transaction. It would appear from the petition as though 6,198l. 15s. had been lost or sacrificed; whereas, the total loss was 1,198l. 15s., being the sum paid for premiums and commission.

Now, Sir, the object of the directors in making this purchase was fair and bond fide. The directors were told by individuals connected with the Stock-exchange—"Your prospectus is too long—your statements too minute—your information too specific. This is not the kind of thing to take in the market. Depend on it your shares will not be paid on. We advise you to buy up the shares and abandon the undertaking." The directors were further told—"By your candour, your ingenuousness, your concern will fail—mystery, hard names, and unknown geography, are better suited to the Stock-exchange than mines in Cornwall—worked by Englishmen—with English capital—under the sanction of English laws—and subject to English tribunals. Depend on it it will not do." The directors perceived that there was some tardiness in payment, and they resolved, for a short time, to adopt the advice given—to buy up the shares—to divide the loss among themselves—and to resign the undertaking. It was at this period the order was given. What was its effect? The shares rose in price. In one day they were purchased—a great body of the applicants for shares came forward and paid upon them—and the company instead of being abandoned, was established.

Now, Sir, did the directors, in adopting this measure, do it with the intention of forcing up the market? Certainly not. Was this their object? This may be best answered by referring to their conduct. When the shares were at a premium, did the directors sell their shares? Did they take them into the market to profit thereby? No such thing. They sold not one single share—they did not offer to do it. The shares originally taken by them, with a great body of the applicants for shares came forward and paid upon them—and the company instead of being abandoned, was established.

Some of them have increased their original number, and all, even now, feel assured that the mines only require a fair expenditure of capital upon them to be remunerative to the share-holders. And let me further ask of the worthy alderman, did the directors gain by this transaction? Was it not a loss to them? Did not the directors, officers, and their friends,
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possess by far the greatest portion of shares? Was not any loss, therefore, a loss to them as well as to the other shareholders. The object was bona fide—the intention was honourable and just. By it—the directors sought not to profit—and did not profit—but sustained a loss—and yet, at the expiration of two years from the transaction, though it was well known and publicly talked of at the time, these petitioners come forward to upbraid the directors in the petition now on the table of this House.

The Fifth Charge is one connected with that to which I have just drawn the attention of the House, it is—"That the purchase of the one thousand shares was for fictitious purposes." This, Sir, I pronounce to be untrue. If only a thousand shares would have been thus bought up—the loss by the premium, &c. would have been sustained by the directors, and the company would have been abandoned. But the result was widely different. The persons to whom shares were allotted, and who were unconnected with the Stock-exchange, thought better of it than those individuals, and many thousand shares being paid on, the company was continued. But what became of the one thousand shares so purchased? Were they afterwards sold? No. Were they missappropriated? No. Are they still in existence, and in possession of the company? Most assuredly. If the directors had sold them again, and made a larger profit than the 1,1981. 15s., and had divided that profit, or had divided any profit, and charged the company with the loss, then the object might have been fictitious, and the directors might have been blamed; but no such event occurred, and no such conduct is imputed.

There is also another answer to this objection. In the deed of settlement which these very petitioners, who are shareholders, have signed, is contained a clause expressly empowering the directors to buy up shares, and either to cancel or re sell them, or to retain them for the company. This deed, so signed, was not executed hastily, or without deliberation, by the petitioners, but after mature consideration; and yet, although this deed contains in it a clause expressly authorizing the purchase of shares by the directors, these petitioners object to a purchase made on the very same principle by the directors, simply because it was made before the deed was signed. If the shareholders by the deed had not adopted the principle, they might have found fault, but having adopted it by signing the deed, I submit to this House that their complaint is both frivolous and vexatious.

The Sixth Charge made by the Petitioners, is—"That I was not entitled to the Mines when I sold them at the Meeting held at the Albion Tavern." This statement is untrue, and the petitioners well know that it is so. I had at that time agreed, in writing, with the agents of the parties belonging to the mines to purchase them for certain sums, and had stipulated in what manner I should pay for them. In consequence of these agreements I received possession of the mines; at the meeting in question I produced these agreements. I sold my interest whatever that interest might be—I had an equitable, as well as legal interest, and that interest was purchased from me. But then it is urged that the agreements under which I held were only conditional, that is, that they contained a clause making them void, unless within a given time I established a company or partnership to work them. This clause was proposed by the vendors, and not by me, but whether by me or by them, it appeared a fair and reasonable one; for the vendors inquired—Do you intend to work these mines yourself? I replied, certainly not, but that I proposed to sell them to a company for the best price I could procure, and what the mines were worth. They then stated that by the terms of the leases, and the custom of Cornwall, the mines must be worked within a given time, and as it was not my intention to work them, but to sell them to a company who would work them, they must require the contract to be at an end, unless the company should purchase them within a given time. To this I assented, and the original agreements were so prepared. When, however; the company purchased the mines of me, the conditional agreements were cancelled, and absolute ones entered into—and at this moment actions are pending against me to recover the sums agreed to be paid by me, thereby demonstrating, that I was really the purchaser, and afterwards the bona fide seller; and that there was no trick or understanding upon the subject; but that it was an every day mercantile proceeding. And let me add, in confirmation of this, my
The Sixth Charge therefore, I submits to the House, is unproved, unsupported, and baseless, and like the rest, is only made to excite prejudice, and defeat justice.

The Seventh Charge contained in the petition, is—"That I gave but 78,500l. for the mines, and that I have sold them for 121,000l."

And what matters it, Sir, whether I gave 100l., or 100,000l. for the mines? The question is, what were the mines worth? were they worth, when sold, the price agreed to be paid? Were the representations made as to their names, character, size, tenure, capabilities, products, history, and past operations, or future prospects, false or exaggerated? nothing of this kind is alleged, nor could it be stated with even the semblance of truth. Is it, Sir, alleged that I purchased these mines as a director, or a solicitor, or officer to the company, and then that I sold them at an advanced price, keeping back the profit? Why, Sir, this is not be, for I agreed to purchase the mines before a meeting had been held, or a resolution adopted, before one farthing had been subscribed, a prospectus issued, or a syllable respecting such a company uttered or written. If it had been otherwise there might have been reason for complaint. It then might have been said—"as agent, or director, or solicitor to the company, you were bound to buy for the company, at as low a price as possible, and had no right whatever to seek for or to expect a profit," and this, Sir, would have been a fair and reasonable proposition. But it is too much to expect that, whereas I purchased the mines in February or March, and then sold them in April or May, I should, for no reason whatever, sell them at the very same price which I gave for them, and thus run all the risk of the purchase, and not, for the balance due to them for the mines.

And now, Sir, with respect to the real question, whether I was or was not entitled to the mines when I sold them? Let me remind the House of a fact, which may have escaped its recollection, that at any rate the company has been in the possession of the mines for nearly two years—that it has worked the mines—that it has received the produce of the mines—that such produce has been sold, and many thousand pounds actually received by the company—that even the title deeds of the mines are in the possession of the bankers of the company—and that the company will not allow me to copy or inspect those deeds.

It does then appear that I had something to sell, and that something real and substantial has been purchased. The company has been in undisturbed possession and enjoyment of nine mines, with all the machinery, stock, and produce, for two years, and on paying the balance of the purchase money it can have at once a legal title and conveyance, in which all necessary parties will join, of all those mines. Can I now convey? Can I now make out a good title? Unquestionably. Have the parties tendered their money and required it? No. Have they not prevented me from tendering a conveyance, by refusing me the inspection of even the title deeds, at the same time that they have refused to pay for the mines they thus occupy and enjoy? Then, Sir, instead of complaints coming from the worthy alderman and his Stock-exchange adventurers, I am the party aggrieved by the conduct of the petitioners and the company. My situation at the present moment is this—I have bought mines, and the parties are proceeding against me for the balance of the purchase money. I have sold mines, and the parties to whom I have sold them will not pay me for them, but yet are proceeding against me to pay a call of 5l. per share, on the shares held by me. "Hardship" indeed! Yes, it is a case of hardship, but it is hardship to myself. The Sixth Charge therefore, I
who had proposed to hold shares in a company to work them. I produced my agreements. One gentleman, who had gone down at my risk and expense to visit and inspect the mines, attended the meeting, and afforded much information. All reports, papers, and documents were laid open. They were all printed in the prospectus. The prospectus was advertised, printed, and circulated. No one subscribed a farthing towards the capital without all this prior information being supplied to him. All this was acquiesced in and approved for twelve months, until at length a call was made, and then these petitioners pronounced the company a fraud, and by false and artful statements for a period imposed upon the public press, and upon the country at large. But that time is gone by. Delusion and hypocrisy are now about to be unmasked; and I tell these shareholders, I tell the House, and I tell the country, that these very petitioners, who now complain, were aware of all the facts of which they complain at the time, and before the time they became original proprietors. But now, when shares are unsaleable, when all mining speculations are depreciated, and when at any sacrifice of honour or of principle some parties are desirous of getting rid of both their moral, legal, and equitable responsibility—now it is, Sir, that the charge of fraud is brought forward, and attempted to be imposed upon this House.

And there is another circumstance connected with the charge I am now considering, to which I wish especially to direct the attention of this House. It is stated, Sir, that I have sold the mines to the company for 121,000L, and that I purchased them for 78,500L. But has the company paid me this 121,000L? No. Has it paid me the 78,500L? No. It has paid me but 54,000L out of the 121,000L, and yet the petitioners complain. Have those petitioners, or has the company, tendered to me the difference between the 54,000L and the 121,000L, and required a title or conveyance which it cannot procure? No such thing. Well, then, has it offered the difference between the 54,000L and the 78,500L, which it admits I am to pay for the mines? Is this 24,500L tendered or offered? No. Is it said—'You must take the price you gave for the mines, and that we will pay, and you must merge all your profits!" Nothing of this sort has been proposed or offered. But I have offered repeatedly to leave the whole question, both as a gentleman and a merchant, to the arbitration of any competent, honourable, and respectable arbitrators. This proposition, however, has been disregarded, and the transaction pronounced a fraud! Fraud I there was no fraud in it. Let the contract be narrowly looked to, let it be examined, and it will be found to be an open bond fide transaction. I do not, Sir, object to inquiry, I challenge it; but I deprecate an inquiry in this House. There are competent, legal, and equitable tribunals. To one of them I have appealed, to another the petitioners have appealed. In both I feel confident that justice will be done; but till justice is refused no appeal can be necessary to this honourable House.

The Eighth Charge which the petitioners make in their petition, is—'That I have received 54,000L on account of the 121,000L." And pray, Sir, let me ask the hon. member what the company has received in return? Has not the company been in possession of the mines for two years? Has not the company been in possession, and still continues in possession, of the machinery, amounting to very many thousand pounds? Has not the company worked the mines for two years? Has it not raised, and sold, and been paid for more than 10,000L worth of ores? Has it not possession, also, of the title deeds? Is it, Sir, I ask the House, a subject of inquiry, I challenge it; but I deprecate an inquiry in this House. The Eighth Charge which the petitioners make in their petition, is—'That I have received 54,000L on account of the 121,000L." And pray, Sir, let me ask the hon. member what the company has received in return? Has not the company been in possession of the mines for two years? Has it not raised, and sold, and been paid for more than 10,000L worth of ores? Has it not possession, also, of the title deeds? Is it, Sir, I ask the House, a subject of inquiry, I challenge it; but I deprecate an inquiry in this House.
which I purchased in the market, and I have expended large and various sums of money in expenses, gratuities, and payments for services; and I may truly add, that at this time I have paid away, connected with this company, several thousands of pounds more than I have received.

I have now conducted the House through eight of the charges made against myself or the directors in this petition. I now arrive at the ninth, and there are three more [a laugh] and to arrive at the ninth, and there are three more. I especially invite the attention of the House. The Ninth Charge is, that at this time I have paid away, connected with this company, several thousands of pounds more than I have received.

Now, Sir, in the first place, I deny this statement. I deny it positively, and in the face of the country. When I sold the mines, or before I sold them, I said not and wrote not one word upon the subject of division of profits. I sold the mines for my own profit, for my own advantage. I retained both in law, and in equity, and in honour, and I still retain an absolute and indisputable right to the sum for which I sold them. And as to present division of profit! why, Sir, at present there can have been no profit to divide. The mines cost me 78,500l. I have received but 54,000l. for them, and therefore the large sum of 24,500l. is due to me even to make up the cost price, and there cannot be one farthing of profit until that sum has been first paid.

But, Sir, whilst I make this statement, and challenge any one to dispute its accuracy, yet I undoubtedly admit that there were individuals, and some too subsequently directors or shareholders, who, by the sacrifice of their time, and the most important assistance which they rendered in the formation of the company, entitled themselves, in my opinion, to some remuneration from me. One of those individuals had visited Cornwall, had inspected each mine, had collected together the reports of the parties best qualified to judge of the nature and value of the mines; and others of those individuals had devoted a considerable time, taken from their lucrative professions or pursuits, for the purpose of inviting and obtaining attention to the proposed measure, and for the purpose of establishing among themselves and their friends the proposed company. But for the assistance, advice, time, and exertions of these individuals I could not have succeeded; and as they proved their own opinion of the excellence of the concern by investing their own capital in it, to some I presented gratuities in money—to others in shares—and to others in money and shares.

But whether money or shares, or both, they were my own absolute property. I could have either presented them or not as I thought fit. I could either make the gift small or large as I might deem proper, as such gift or presentation was no condition precedent to the purchase of the mines; but on the contrary, the mines had been long purchased before I proposed to make any gift or remuneration. To the gentlemen I so remunerated, I said—"You have materially and efficiently assisted and served me; you consider me bound to make you some present or reward—I also feel that I should do so," and I did it accordingly. This, Sir, was my language to the parties, and theirs to me. All was perfectly spontaneous on my part, and all that I have so given has been to me absolute loss.

Before, however, I dismiss this part of the subject, I deem it right to state, that to only one gentleman, who is now a member of this House, did I present any such gratuity. To neither the right hon. viscount, the member for Cambridge, the hon. member for the county of Durham, nor the honourable the sitting member for the county of Dublin, did I make any present, or offer any remuneration, and for this obvious reason, that they had rendered no service, and were therefore entitled to no reward. I did not indiscriminately bestow money or shares on all or many persons. Those entitled to be paid or rewarded have been, and to those who were not entitled, I have offered nothing. I am not therefore, Sir, ashamed to state, that I did make such gifts, or pay such remunerations, because the company is a bond fide company, established in a bond fide manner, conducted on bond fide principles, and tending to a bond fide result. This, Sir, is no bubble — no scheme—the transaction was as open as day, and as to those who attach any criminality in honourable payment for honourable services, I can only say I pity their want of understanding, and confess myself no supporter of their code of morals. I have been, Sir, thus explicit upon this charge, because I understand that it is the one upon which the worthy
alderman places the most reliance, and upon which he hopes to obtain an appointment of a select committee.

The Tenth Charge made by the petitioners, is—"That the persons who said the mines were worth 121,000l., were interested in saying so." Be it so, though it was not so; but be it so. What then? Did they state falsely? I shall be glad to know where the allegation is, that the mines are not worth that sum. What was the opinion of the deputation who inspected the mines? They reported—"That all the mines which have been purchased are advantageous, and highly beneficial purchases, and are mines in which the capital embarked cannot fail of being profitably employed." What was the opinion of Mr. Johnston, whose name and matured opinion in favour of the company I have already adverted to? What was even the opinion of one of these petitioners often expressed at the office of the company? Why, that it was an excellent and promising undertaking. What is the opinion of some of the most experienced miners now. Why, that even now one mine, "Wheal Fanny," may be worth all the money. What was my own opinion? I have already referred to this, by showing, that I thought it so good and desirable an undertaking, that out of 54,000l. received, 30,000l. I have embarked in the company, by taking two thousand shares, and paying 15l. per share. And then, Sir, as to the allegation itself, that all were interested in praising the mines who did praise them, I deny it. To say nothing of the individuals I have before mentioned, I state that Mr. Sim was not interested, that Mr. Richards was not interested, that Mr. James Thomas was not interested, that Mr. Vivian was not interested, and that Mr. Champion was not interested, and yet I state, that all of these parties have more or less borne their testimony to the excellence and capabilities of the mines. I therefore contend that this charge is unfounded and untrue.

The Eleventh Charge contained in the petition, is—"That the number of the Directors and Auditors has not been completed." Now, Sir, though no prejudice is alleged as resulting from this omission, if there be such an omission, yet I will show to the House that there is no ground for complaint. The original prospectus contained the names of twenty directors, and four auditors; and it stated that one more director would be added to make the number complete. Was this step taken? Undoubtedly it was. Then was there any deviation between that prospectus and the deed? None whatever; except, that the deed supplied the name of the remaining one, thereby making the number complete.

Two years have now rolled away, and how stands the list now? Two have died—four have retired—and fifteen continue. But why, it is asked, have not the six vacancies been filled up? For this reason, and for this reason only, because these petitioners, and their confederates, at the first annual meeting, when the vacancies ought to have been filled up, contrived by noise—uproar—affected astonishment and indignation—by threats and other illegal and dishonourable means, contrived, and have ever since contrived, to blind the shareholders to their true interests—to impede—nay, to stop the proceedings of the company, and to injure, and well nigh ruin one of the most promising undertakings ever established in the county of Cornwall. And yet these petitioners, who, nearly twelve months ago, first commenced these attacks, and who have continued them ever since, now come forward to this House, and make the non-election of directors, to fill the vacancies, a subject of attack, though such non-election is exclusively attributable to them.

The Twelfth and Last Charge made by the petitioners, is—"That some of the Directors have ordered actions to be brought for calls due on Shares." This measure has been adopted by them since I ceased to have any connection with the company, further than a shareholder. But provided the deed has been duly signed, and the call duly made, and the proceedings duly taken, it is a measure which, I have no doubt, the directors are prepared to vindicate. The deed which regulates the company provides, that the directors may from time to time make calls at their discretion; and this deed the nine petitioners entitled to be heard have signed. But this is the sore place—this is one of the real reasons why the petition is presented; but "let the galled jade wince—our withers are unwrung." The deed also not only provides for the making of calls, but for enforcing them when duly made. I pronounce here no opinion as to the validity of this call, but if it be valid, then the petitioners, like myself, have bound ourselves to pay it; and I am willing to allow, and ever have been willing to allow,
and have offered to allow its amount to be deducted from the balance of nearly 70,000l. in which the purchasers of the mines are indebted to me. If the call had not been enforced, this House would have heard nothing of the petitioners, or this notable petition. Until this call was enforced, I alone was blamed; the right hon. Secretary at War was praised almost to adulation; but how soon was the blessing succeeded by the curse—how soon the cheer followed by the groan—when these petitioners found that that noble lord, and the other directors, had ordered the call to be enforced!

Before I conclude my reply to the allegations of these petitioners, there is one sentence in the petition, to which I have omitted to refer, but which gives some insight into the bitter and personal intensions of these individuals. It is this, and to it I invite the attention of the House. The petitioners state, as a ground of complaint, that some of the directors in this company have been connected with myself in two companies, called "The Welsh Iron and Coal Mining Company," and "The Welsh Slate Copper and Lead Mining Company." Now, Sir, although this petition professes to be the petition of shareholders and scripholders in "The Cornwall and Devonshire Mining Company," and to pray an inquiry into the formation and management of that company, yet the cloven foot is now to be seen. It is not to the measures, but to the men that they object; not on the score of principle, but of feeling; not of honour, but of malice. To annoy, vilify, injure, degrade, is their object. They hope to excite a prejudice against the House, was to expose the real nature and object of this attack. I have no wish, Sir, to copy the example of the hon. gentleman who has brought forward this petition; but in addition to the reasons why this petition has been presented, which I have already supplied, I could, if the forms and order of this House would permit, but which they will not do—I could, I say, show that there may be motives actuating certain individuals which I could expose, if permitted so to do. I dare say an honourable member will not wholly forget the proceedings before a certain committee of this House, as to the Equitable Loan Bank, nor the charges there made. Whether at any proceedings which there occurred, the hon. member, who presented this petition, has taken umbrage, it is not for me to say, though I may entertain some suspicions. I hope, however, the hon. member will endeavour, in any discussions on this subject, to keep the ends of justice; and which is both the most ignorant and malicious document to which my attention, or, I will venture to say, the attention of the House has ever been directed. What, Sir, is the prayer of the petitioners? First, "That this House will take all matters into consideration." It has now done so. Second, "That the House will institute an inquiry." No case is made out to require it. And Third, "To adopt such proceedings as the House shall think fit." The only proceeding, I trust, which the House will adopt, will be to order it to lie upon the table, and not even to consent to print it. This is a point which I shall certainly urge on the attention of the House, and if necessary, press a division.

Let me now, Sir, apologise to the House for the great length of time which I have already occupied in my defence, and in the defence of the directors and managers of this company, to this petition. Let me also thank the House for the patience which it has evinced, and for the courtesy I have received at its hands; for I cannot but feel how uninteresting to the House must be the detail with which I have felt it my duty to trouble it [hear]. I have endeavoured to avoid unnecessary prolixity, but the attack made upon me, and the strong feeling which my peculiar situation could not fail to excite, have betrayed me into a length of statement which I did not intend, and which to me has been most unpleasant. My motive, in rising to address the House, was to expose the real nature and object of this attack. I have no wish, Sir, to copy the example of the hon. gentleman who has brought forward this petition; but in addition to the reasons why this petition has been presented, which I have already supplied, I could, if the forms and order of this House would permit, but which they will not do—I could, I say, show that there may be motives actuating certain individuals which I could expose, if permitted so to do. I dare say an honourable member will not wholly forget the proceedings before a certain committee of this House, as to the Equitable Loan Bank, nor the charges there made. Whether at any proceedings which there occurred, the hon. member, who presented this petition, has taken umbrage, it is not for me to say, though I may entertain some suspicions. I hope, however, the hon. member will endeavour, in any discussions on this subject, to keep
his mind free from certain preconceived notions and opinions. I hope that the excellent invocation which is offered up to Heaven at the commencement of each day's proceedings in this House—"That all animosity and prejudice should be banished, and that we should judge of the business on which we may be called to decide, without malice or any improper feeling," will be attended to by the worthy alderman, and that such good advice will not be lost upon him.

Let me now ask the hon. member who has presented this petition, what good has it effected, or can it effect? Mischief it must and will produce, but good it cannot. Can the shareholders derive any benefit from this discussion? Can the House dissolve the contract for the mines? Certainly not, that must be the work of a jury. Can it set aside the deed of partnership? Certainly not. Can it relieve the petitioners from fulfilling their covenants? Certainly not. Can it pay the calls for the shareholders? That it will not. Can the House restore money paid by the shareholders? or can it place the mines in the same excellent and good condition in which they were when the mines were purchased? Certainly not. Will these nine petitioners place the mines in the same excellent and improving condition in which they were when the company purchased them? Oh no. This is not the object or intention of the petitioners. I am then, Sir, astonished how these individuals who break every engagement, and violate every covenant made by them relating to this company, can have the conscience to prepare, and sign, and present, this petition to the House.

But not only can no benefit result from this discussion, or from the appointment of a Select committee, but much injury must ensue. In the first place, Sir, this discussion is likely to produce injury by lowering the dignity of the House. This House has other business of far more importance to transact—of far greater moment to be considered—than the disputes among the members of a trading company. Such discussions may suit the dignity of a common hall, or a court of aldermen, but they are beneath the dignity of this House. I expect, Sir, that we shall, ere long, have petitions presented from creditors of members, or debtors to them, from the turf, the gaming house, and the shop; and that instead of occupying itself about the affairs of the greatest nation in the world, the House of Commons will be occupied in discussing the claims of an upholsterer, the statements of a black leg, or the affairs of honour, love, or intrigue, in which men of family and fashion are sometimes involved. I call upon the House, at this commencement of a new era in the House of Commons, to oppose this petition, and the unconstitutional and oppressive proceedings which its supporters desire to be instituted.

Secondly, any proceedings, with reference to this petition, will be an unwarrantable interference with private affairs. For civil injuries there are civil remedies. Ample laws, and an abundance of courts, have been provided for the investigation and settlement of all such matters. If disposed to avail myself of such an argument, but which I am not, I might urge, that at the time the proceedings complained of took place, I was not a member of this House—nay, for more than twelve months afterwards, I was not a candidate; and singular, therefore, would it be for this House to interfere with all the private transactions and concerns of private individuals before members of this House. I claim the privilege of a British subject—the privilege of being accountable only to the ordinary tribunals for my conduct as a private individual [hear, hear]. I say it with respect and deference, but with firmness and decision, what right has this House to interfere, and take cognizance of transactions which occurred eighteen months at least before I became a member of the House? If I have committed wrong, I am liable to the courts of law or equity. With so many, and so efficient, and sufficient correctives of morals and conduct, what necessity exists for dragging in the extraordinary interposition of this House. The object cannot be, and is not, the furtherance of justice; but it is intended only to harass and annoy, not myself only, but other members of this House, and to prejudice them in the public estimation.

I contend, thirdly, Sir, that this will be establishing a precedent of the most dangerous kind. Such a course as this is unprecedented. I have always understood, that the usual answer given to petitions of this sort, as well by his majesty's ministers, as by gentlemen on the opposite side of this House—"Why come to this House? Why not resort to the ordinary tribunals? The courts of law and equity are open to
you. Apply there.” What is said then in other cases I claim for myself now. The petitioners have admitted that actions are pending, and let those actions and other legal proceedings try and decide these questions.

The inquiry sought for would be also, fourthly, unjust to myself, and to the plaintiffs in the actions depending, relative to the calls. To myself, as I claim the fulfilment of the contract, purchasing from me the mines, and to the plaintiffs in such actions, since it would not only be casting a severe reflection upon them, but it would in a measure necessarily tend to frustrate the ends of justice, by fettering the advocate, and prejudicing the jury.

What grounds then, I ask, has this House to proceed upon? Is it not clear that the object of the petitioners is to defeat justice, and to send forth partial statements to the public. And whilst I am upon this subject, I cannot but refer to the most improper manner in which the proceedings of the Arigna committee were from time to time reported, or half reported, to the public. During the progress of that inquiry, ex parte statements of the evidence, not given by way of question and answer, but most partially, were inserted in some newspapers. Lest the same practices should again be resorted to in this House, I call upon it to protect its members by defeating this attempt.

I now call, Sir, upon the hon. member who has presented this petition to withdraw it; I call upon him on grounds of public duty, and public justice; I call on him who is so violent an advocate in theory for the liberty of the subject, the trial by jury, and all the popular rights; I call, Sir, on the hon. member to prove that he is in practice what he is in theory, and to withdraw his petition. But lest the hon. member should be deaf to this call, I now, Sir, call upon the House to refuse this petition, to refuse its reception; or if they proceed so far as to order it to lie on the table, I call on the House not to order it to be printed. I ask of the House, at least, to wait till after the decision of the Courts of Equity and Law, already, or about to be, appealed to. When their calm and dispassionate, and final decision shall be known, it will be then time enough to listen to the petitioners; and whenever that period may arrive, I shall be found at my post to meet the alderman and his petitionary constituents. I am aware that the petitioners, actuated by private feelings and personal animosity, would never be satisfied with any thing short of the expulsion of myself and other members from this House. But in this design they will not be gratified; the accomplishment of this wish will be denied to them; for I know, and am assured, that this House will not suffer these defaulting petitioners to carve out to themselves their own judgment.

I shrink not from inquiry, but let it be a fair, a legal, a constitutional, a full inquiry. If the House should think fit to proceed with this investigation, surely it would require the best possible evidence, and where can it find such evidence but in that given upon oath and sifted before a British jury.

Let me now, in conclusion, beg pardon of the House for the length of time which I have occupied in this discussion. Let me thank the House again and again for its attention, its candour, its indulgence. My statement has been not less irksome to myself, than I fear it has been tedious to others, but it was wrung from me by my accusers, and I have discharged my duty. I felt that I was put upon my trial, and now I have met and confuted my accusers. Let them enjoy the harvest of their anxieties, their toils, their industry, and their malice: the satisfaction of seeing their petition only received: let them see it remains unprinted, and its prayer refused. Let the House arrive at this conclusion, and it will support the laws of the country, the dignity of the House, and the true interests of the people.

Mr. Bankes said, he had not stopped the hon. member for Sudbury in many of the topics which he had unnecessarily introduced into his speech, only because the hon. member had so deep a personal interest in the question. The short point for consideration was, whether this petition should be printed? There could be no doubt as to the receiving it. But if the hon. gentleman who had presented it moved to have it printed, he should oppose the motion.

Mr. G. Robinson contended, that the House were, in consistency, bound to go further. They had already entertained a petition, the result of which was before them in the able report then lying on the table. They could not, therefore, refuse to entertain this petition. On the discus-
sion of the charges against the directors of the Arigna Mining Association, the
Secretary for Foreign Affairs had advised the hon. alderman not to make the inquiry
general, but to confine it to some particular case; and if, in that instance, the
charges were sustained, the House would be justified in proceeding to another;
though, he believed, the right hon. gentleman did not expressly pledge himself to
support it, unless a strong presumption of abuse was manifest. In this instance, if
the hon. alderman pressed the inquiry, he would support it; and he would state the
grounds of his support. This was a charge not against the hon. member for
Sudbury alone, but against several members of the House; and, though he was
perfectly satisfied that the noble lord, and other hon. members, who had been con-
ected with this company, needed no justification, yet he felt, that, after what
had been said outside of that House, and considering what was actually within the
cognizance of the House, it was necessary, not to their justification with that House,
or with the country, but for the sake of their own feelings, as their names had
been mixed up with these transactions, that some inquiry should take place. The
hon. member for Sudbury had argued, that inquiry was unnecessary, as proceed-
ings were pending in the courts, and that it would be mischievous, as it would un-
avoidably prejudice those cases. If he thought that an inquiry by that House
would have the effect of sapping the foundations of justice, or of precluding
the parties accused from using those means of justification to which they were en-
titled, he would be the last man to stand up and support it. But, in consequence
of some opinions that had been expressed by the learned lord in whose court these
proceedings were pending, it appeared, that, whatever might be the result of them,
it would not go to decide whether this was a fraudulent transaction, but only
whether some of the parties should have their money back again, or whether it
should remain in the hands in which it was at present lodged. If that court
would not pronounce upon the allegations of fraud, how could the hon. member for
Sudbury fancy his character vindicated, when, in fact, no opinion would be given
respecting it? He was surprised at the course pursued by that hon. member, in
alluding to the proceedings regarding other companies. The hon. member should
have remembered, that the hon. gentleman concerned in them had courted and de-
manded that inquiry from which he shrank. Allusion had also been made by that hon.
member to some proceedings which had been instituted to recover the money paid
as subscriptions towards the Cornwall and Devonshire company. He knew none of
the subscribers or directors, but he must say, that, after what had transpired, they
were fully justified in withholding their payments, when it appeared from the
statement of the hon. member himself, that all that was already advanced would
be lost; and that, give what they might, they would never get one shilling back.
As he had supported the inquiry into the Arigna Mining Association, he would, for
the same reasons, support this inquiry also. When he found attacks made upon
members, not only out of doors, but within their own walls, he felt that the character
and dignity of parliament called aloud for inquiry.
Mr. D. W. Harvey said, that the impu-
tations conveyed by this petition involved
an important principle; namely, under what circumstances, and at what period,
that House should entertain charges, of whatever kind, against its own members.
The right hon. the President of the Board of Control had stated it as his opinion,
that the proper period, and the only time, for the House to exercise its high prero-
gative was, when all other means of in-
quiry were extinct. If there were any charges against the hon. member for
Sudbury, criminal or otherwise, as long as the courts were open those courts, cer-
tainly, were the fit places to investigate them. This case was distinct from that
of the Arigna Mining Company, which had immediate reference to an hon. mem-
ber who then filled a distinguished situa-
tion in that House. The present question
might assume the requisite degree of im-
portance, if, indeed, the hon. member for
Sudbury were likely soon to attain official eminence; or if, in the disturbed state of the
administration, he should be called to succeed lord Liverpool; and certainly, if
the hon. gentleman did not possess the talents, he had, at least, the moral strength
of that distinguished individual [laughter].
The hon. gentleman had relied chiefly, and
perhaps wisely, upon the success of his
actions; for, though nobody doubted his
professional dexterity, there were not a
few who had ventured to impeach his integrity. He was not aware, before that evening, that the character of a solicitor was one clothed with peculiar delicacy; nor that the courts were backward in entertaining charges against them, nor very deeply affected when they heard of them. The hon. gentleman was undoubtedly right in maintaining his seat until he was deprived of it by some legal judgment. No affidavits had yet been filed against him. When the rolls were brought into that House, from which it should appear that his name had been disgraced, he would then become a disgrace to that House, and should be instantly expelled: but he ought not to be run down by a mass of assailants, who, if their shares had been profitable, would equally have nauseated him with their applause. Other hon. members were implicated in this petition; and he confessed, that, if it had borne as hard upon the noble lord (Palmerston), that would have been a good foundation for inquiry. It had afforded the noble lord an opportunity of vindicating him: if triumphantly from the imputations attempted to be cast upon him, and of satisfying the House that he was totally untouched by them. Another thing should be borne in mind, with regard to the hon. member for Sudbury. His faults might be numerous. He knew not that the fact was so; for he really was not acquainted with the hon. gentleman. He did not disclaim him on the principle generally adopted, because it might be convenient to repudiate him, but, honestly, because he had no private knowledge of him. Whatever were his faults, however, the hon. gentleman had appealed to a numerous constituent body, whose duty it was to inquire into his character; and, unless the House supposed that the electors of Sudbury were a base and profligate set, who chose the hon. member as a real representative of themselves, their object must have been, in selecting him, to vindicate their purity. If they, indeed, thought that he had since so misconducted himself as to reflect discredit upon them, let the doors of the House be thrown open to a petition from them. Let the hon. gentleman's constituents complain if they had reason. But if they had knowingly returned an individual disgraced in reputation, and blemished in character, they had no right to show their faces before that House. With respect to this petition, he saw no purpose it could answer, but that of anticipating the ends of justice. The hon. gentleman had admitted, that when he was legally convicted of fraud, it would be justifiable, immediately on the production of the record of his conviction, to turn him out of that House, and return him to his constituents. In that opinion he entirely concurred. He did not wish to press hard upon the hon. gentleman, who had been called on to reply to a number of charges of one kind or another, and who, in making so long a speech, had probably said many things, which, on reflection, he might wish to retract. With every allowance for the circumstances of the hon. gentleman's situation, he was bound to say, that the hon. gentleman had not cleared himself from any one of the charges brought against him. He acknowledged that he had bought this estate for 78,000l., and had sold it to the company for 121,000l.; yet he refused to complete the purchase. At the same time, proceedings were pending against the shareholders, to compel them to pay up the remainder of their subscriptions; he himself owing instalments on one or two thousand shares. For his part, he heartily wished the hon. member for Sudbury a good deliverance, whether he was in the courts of law or in the criminal courts. As to the courts of equity, they could neither of them hope to live to see the end of the suits there. If the result of the inquiry proposed by the hon. alderman should be, to ascertain that the hon. member for Sudbury had acted in a manner unworthy of the character that should belong to the possessor of a seat in a House of Honour; if he was driven, in his defence, to have recourse to legal pleas and technicalities, his constituents ought to have an opportunity of expressing their sentiments. If the defence should fail altogether, he would follow the suggestion of the hon. member himself, and move for the production of the record of his conviction, as the foundation of ulterior proceedings against him in that House.

Mr. Alderman Waithman rose to reply. He contended, that if ever there was a case that called for investigation, it was this. The petitioners were men of high and well known integrity. He had before mentioned the name of Mr. Hammond, only to remind the House, that that gentleman was related to a namesake who
had long and justly enjoyed the confidence of his majesty's government, and that relative stood not higher, in the estimation of those who knew him, than the petitioner himself. It had been asked, why only a few of the shareholders had signed the petition? The fact was, that some of the shareholders, on finding out the fraud practised upon them, had refused to make any further payments; in some cases actions had been commenced against them to compel them to pay the future instalments; and in other cases, similar actions were threatened. The petitioners were not in either of these situations. But, really, it mattered nothing what was the character or number of those who exercised their constitutional right to petition that House. The poorest man in the land had the same right, and was justified in using it at his discretion. The question was not what were the petitioners, nor what were their motives, nor what were his motives in bringing the case forward. He cared not what the hon. member for Sudbury might say. I know, continued the hon. alderman, he has no right to charge me with feelings of personal hostility. He knows that I did not exercise any particular severity towards him, when he was brought before me, on a particular occasion. He then felt and expressed himself indebted to me. He of all men living is indebted to me. He of all men living, he is the last man alive whom I would trust myself with for five minutes, except in the presence of a third person [cheers, and cries of "Order!"]

The Speaker.—Any member of this House, who uses such language as that towards another member, is decidedly out of order. Whatever the honourable alderman may think, common decency requires that he should adopt a different form of expression.

Mr. Alderman Waithman.—I have expressed myself strongly; but I submit myself to your correction. The hon. gentleman has charged me with dealing unfairly by him. Now, the fact is, that I deferred the presentation of this petition for a week, in consequence of a letter I received from him, in reply to a communication I made to him. Yet be complains that I showed him no courtesy. After this instance of his candour, I repeat I should be afraid to say any thing to him but in the presence of a witness.—The hon. alderman stated, that he had also sent the petition, with the names of the petitioners, to Mr. Mitchell, of the Vote-office, desiring him to shew it to any member who might wish to see it. He contended that the hon. gentleman opposite had, upon his own shewing, made out a strong case for inquiry. It was said that the directors had made no profits. The fact was, that the shares in this transaction had never risen in the market as the shares in some other schemes. He begged to call the attention of the House to the Welsh Iron Company, in which large profits were made.

Mr. John Wilks.—I rise to order. The hon. alderman is alluding to another matter, in which it is impossible that I can have an opportunity of replying.

Mr. Alderman Waithman maintained, that the Welsh Iron Company was mentioned in the petition, and that it would be more creditable to the hon. member if he did not seek to throw impediments in the way of discussion. The hon. member for Liverpool had been applied to to become one of the directors of the Welsh Iron Company, but that hon. member refused to lend his name to the scheme, lest it should induce others to engage in a speculation which he could not control.

Mr. John Wilks.— I rise to order. The hon. member states, that this is mentioned in the petition. Here there is an issue between us. The petition lies on the table; let the House decide.

Mr. Alderman Waithman resumed. The hon. member for Liverpool refused to lend his name to the scheme, and he did something more. A check was sent to him—

Mr. John Wilks.—I rise to order—

The Speaker.—The hon. member is new to this House; and it will be better if the hon. member relies a little upon others, to see that the House is not in a state of disorder.

Mr. Alderman Waithman resumed. A check for 100l. was inclosed to the hon. member for Liverpool; but that hon. member sent it back to the person who inclosed it. He would not take up the time of the House. All he wished for was, that an inquiry should be made into a fraudulent transaction, in which the character and conduct of members of that House were implicated. There was another member of that House, Mr. Barrett, who had, he believed, participated in the
money. That gentleman, he believed, had brought no action. He asked the House then, upon public grounds, to go into an inquiry involving the character of their members. In the last parliament, bills had passed that House for the purpose of sanctioning these fraudulent schemes, in which members had a direct interest. The last parliament had, he might say, disgraced itself in the eyes of the public; and he called upon that House to do something to vindicate its own character, and show the public, not only that they disavowed such fraudulent transactions, but that, if any of their members were implicated in them, they were ready to go into an inquiry to establish the purity of their character, or to enable the House to take steps to purge itself of members who ought no longer to hold a seat in it. He might have brought down many petitions on the subject, if he had not thought it better in the present stage of the matter to discourage petitions. The sum of 141. was lost upon every share in this transaction; and he had seen a poor man that morning, who had lost every shilling he had in the world by embarking in it.

Mr. John Wilks.—Name him.

The Speaker.—Order!

Mr. Alderman Waithman resumed. Another unfortunate man, who had been ruined by this fraudulent transaction, had cut his throat, and left a wife and eleven children destitute. The wife of another man, who had been ruined by it, had become insane. He was in possession of a number of similar distressing cases.

Mr. Wilks trusted the House would not allow this libel upon himself and other hon. members to be printed and circulated, pending a legal inquiry into the truth of its allegations.

Mr. Alderman Waithman said, he was entirely in the hands of the House as to future proceedings, having no personal feeling whatever beyond a desire to see justice done. He would not, however, press his motion now for printing the petition, but content himself with giving notice, that soon after the recess he would move that it be referred for the consideration of a select committee.

Breath of Privilege—H. C. Jennings Reprimanded.] On the motion of Mr. Canning, the order of the day was read for the attendance of Mr. H. C. Jennings, who had written certain threatening letters to Mr. Peel. The Speaker inquired of the Serjeant-at-arms, whether Mr. Jennings was in attendance, and on being informed in the affirmative, he was conducted to the bar.

The Speaker.—What is your name?

Mr. Jennings.—Henry Constantine Jennings.

The Speaker.—Look at those letters; there are three of them; were they written by you?

Mr. Jennings.—They were.

The Speaker.—Have you any observation, or explanation, which you wish to offer, upon having written them?

Mr. Jennings, in a feeble tone of voice, replied, that he was very ill at the time he wrote them, as the papers which he had in his hand would show, as well as in great anxiety of mind; but upon reflection, he was extremely sorry for having written them.

Mr. Secretary Canning thought the demeanour of this individual at the bar of the House, and the observations he had made, entitled him to the lenient consideration of the House. It would be extremely painful to the House to visit the offence of this person, who represented himself to be in a state of ill health, with any severe measure of punishment; and he thought the acknowledgment of his error might be accepted as a sufficient atonement for it.

Mr. Secretary Canning was of opinion, that as this individual had menaced the House with overhanging their debates, and addressing one of their members from the gallery, it would be necessary to take some preliminary steps, before discharging him from further attendance. He should move, therefore, that Constantine Jennings had been guilty of a breach of privilege, and that he be called in and reprimanded by the Speaker.

Mr. Hume regretted that the right hon. gentleman felt it necessary to make this motion, because it involved a question of considerable importance. If a member of that House should make a statement respecting the character of an individual which was not correct, and should persist in taking no notice of repeated applications made to him to correct it, he really thought, though he did not defend the conduct of Mr. Jennings, that an individual, whose character would be so attacked, would be placed in a situation of considerable hardship.
Mr. Secretary Canning thought it impossible to visit such an offence as that of which this individual had been guilty, however it might be apologised for, or however extenuated, with a less measure of punishment than that which he proposed to inflict upon him.

The motion was then agreed to, and Constantine Jennings was accordingly called in, and reprimanded by the Speaker. The reprimand was as follows:

"Henry Constantine Jennings, there is no duty more imperative upon this House, as well for the preservation of its own honour and dignity, as for the maintenance of the best rights of the public, than the duty of preserving inviolate its own privileges. I may add, there is no duty in which the House engages with greater reluctance than that of visiting an individual with punishment for an offence committed against them; and for myself, let me add, there is no duty more painful, both from the apprehension, that I may not adequately convey the sentiments of the House, and also from a feeling of what must be the situation and state of the individual who is subjected to that correction.

The House have heard, and have heard with as much satisfaction as the circumstances of the case would admit, the unequivocal and full expression of contrition on your part. The House are prepared to receive it in the spirit in which you delivered it, and, under these circumstances, to deal with this offence with the utmost lenity. I am commanded to reprimand you for the offence which you have committed, and to admonish you, that a repetition of such offence will not be passed over with so slight a correction."

Corn Duties Bill.] On the order of the day for the further consideration of the Report upon this bill,

Mr. Leycester said, he thought that the duty imposed upon foreign corn imported into this country was a sufficient protection under ordinary circumstances; but, if there should be a deficient crop, the situation of the British agriculturist would be far from enviable. He differed from those who thought that the duty ought to be lower, because he was satisfied that the consequence of a lower duty would be the sacrifice of the English gentleman to advance the interests of the German baron.

Mr. Bernal said, he observed, with great regret, a clause in the bill as now printed, which he thought was in complete violation of the principle upon which the present measure was introduced. The new clause was described in the margin "Reciprocity of Duties in the Trade of Corn," and the object of it appeared to him to be to put a stop to the importation of foreign corn altogether. By that clause, power was given to his majesty, with the advice of his Privy Council, to prohibit the importation of corn from such foreign nations as should impose upon our vessels carrying goods to those countries, greater duties than those imposed upon national vessels. He wished to know from the right hon. gentleman whether his view of the clause was correct?

Mr. C. Grant said, the object of the clause certainly was, to enable his majesty, with the advice of the Privy Council, to prohibit the importation of corn from Russia, Sweden, or any other foreign nation, which might abuse the generosity of England, by taking all the benefits of our system of relaxation, and imposing higher duties upon our shipping and goods in that country, than were exacted from the subjects of that nation who might import, in foreign ships, foreign corn into this country. In introducing that clause, the originators of the present measure had acted upon the principle which had regulated the measures hitherto introduced for the repeal of duties upon foreign goods imported in foreign vessels. In the year 1822, when the right hon. friend brought in his bill for allowing intercourse with the West Indies, there was inserted a clause, giving to the king in council a power of prohibiting all intercourse with those colonies in any such cases as those alluded to. In 1823, when they had gone a little further, and had done away with all discriminating duties as a principle, did they then deprive themselves of the power of imposing upon foreigners the necessity of adopting a reciprocity of duty, or else of shutting them out altogether? Certainly not. There existed then, as well as now, a clause, giving his majesty's government a power to re-enact those restrictions, and to establish a prohibition, should any foreign power shew a disposition to abuse our generosity.

Upon this same principle, it was now proposed to act. The foreigner was told, that we had for our own benefit relaxed our prohibitory system of commerce, but that as he was
also to benefit by that relaxation, we should expect a like liberality upon his part; if not, we reserved the right to protect ourselves against his attempt to abuse our generosity. Having stated the principle upon which government meant to act, he must add, that he had not the slightest apprehension of those disastrous consequences, which some honourable members feared would arise from it. Besides, it should be recollected, that it would not rest with the king in council to bring this act into operation. The foreigner must first by his own act bring himself within the operation of the law; and therefore, being forewarned, the blame, if any, must attach to him.

Mr. Hume took the clause to be a deviation from the principles on which the bill had set out. He had no objection to the establishment of countervailing duties; but he thought that to recognize a prohibition under any circumstances, was repugnant to the measure before the House. It would place a most offensive power in the hands of the government, and might militate, in a very serious manner, against the shipping interest.

Sir J. Newport repeated the objections he had already made in that part of the bill which allowed the importation of flour, as it must tend materially to the injury of Ireland; but, as he had already taken the sense of the House upon it, he would abstain from going any further at present. The House having assented to the principle of the bill, he thought it right to allow it a fair trial, and not make it a measure of annual experiment. With this view, he hoped it would be allowed to continue in operation for a fixed period; say three or five years.

Mr. C. Grant expressed his regret at having been obliged to oppose the right hon. baronet, whose opinions and judgment he highly valued, upon that part of this measure, which affected Ireland; and he sincerely hoped and trusted, that the right hon. baronet would find himself mistaken in the result. As to having this bill scttered down to any fixed period, he thought it would be most injurious, and counteract the object it was proposed to effect.

Mr. Warburton opposed the clause, and said he meant to move that it be struck out. It was retracing our steps, and going back from those principles which ministers professed to establish.

The hon. member then referred to the 4th, 5th, and 6th, of George 4th, to show, that by the system of reciprocity which those acts established, his majesty was only allowed to levy a duty on the goods of those countries in which a higher duty was levied on our manufactures, of one-fifth of the whole amount. The clause was an unnatural departure from the system of countervailing duties. The hon. member concluded by moving, that the clause marked A be struck out.

Mr. C. P. Thompson seconded the motion. The precedents quoted by the right hon. gentleman were, in his opinion, no precedents at all. All the former acts went on the principle of establishing countervailing duties, but this clause re-enacted the old system of prohibition. He was persuaded, that it would have an unfavourable effect in foreign countries, with whom we must preserve our relations, if we meant to have any commerce at all.

Mr. Secretary Canning said, he was perfectly satisfied that from the observations made on the clause, gentlemen concurred in the general principle; but he was equally satisfied that the objections which had been made in the course of those observations, arose from a misunderstanding. The first objection arose from confounding two distinct things under the word prohibition. The measure before the House, as had been correctly stated by the hon. member for Aberdeen, did abolish prohibition; but it was a prohibition quoad importing grain into this country. The prohibition in the clause was not a prohibition quoad this country, but quoad the country whence it was imported; the clause, therefore, did not touch the principle of the bill. The second objection which had been made by the hon. member who spoke last, arose from his supposing there was some inconsistency in the modes of dealing with that country, which might not deal favourably with us, and very different from our mode of dealing with other countries. But the principle was precisely the same. By the bill we repealed the law prohibiting the importation of grain; and by the clause, we left the offending country precisely in the condition where we found it. As thus, we repealed the discriminating duties generally—he was then speaking of former acts—but we reserved to ourselves the right of levying those duties on the countries which did not choose to imitate our
liberal system. He contended, that it was the same as to the present law. By the law as it then stood, there was a practical prohibition to import corn into this country—by the present law that prohibition was repealed; but we also said to that country, which would not entitle itself to the benefit of the new law, we would not inflict any additional punishment on it, we would leave it where it was before the law was passed. In both instances the practice was the same; and the confusion he had noticed arose from considering prohibition, as applied to the importing country, and as applied to the country whence the corn was exported, to mean the same thing. He contended, that the principle was precisely the same, and that it was the best way of dealing with the business. He concurred with his right hon. friend the chancellor of the Exchequer, in hoping that the case contemplated may not, and in believing that it would not, arise.

The original clause was agreed to.

HOUS OF COMMONS.

Tuesday, April 10.

COUNTY FIRE OFFICE.—REVENUE INQUIRY.] Mr. Hobhouse said, that in consequence of the notice which he had last night given, he rose to present a petition, signed by one thousand seven hundred persons of most respectable character, some of whom were directors of, and others subscribers to, the County Fire Office: and to the contents of that petition he begged the most serious attention. The case which the petitioners made out was grounded upon a report, got up under the great name and character of the right hon. member (Mr. Wallace) opposite, and others of the commissioners who acted with him. The House was of course aware that some time ago a commission had been formed to inquire into the mode of collecting the revenue of Ireland. The powers of that commission were in a little time extended to Scotland, and ultimately to England also. Several reports were made by that commission; and at length, the fourteenth report, with a voluminous appendix, was presented to the House. He would now state shortly, the grievances under which the County Fire Office laboured, and of which they had had such just reason to complain. The County Fire Office was a large and flourishing establishment, which had long enjoyed the public confidence, and had issued, as he was informed, upwards of one million of policies. There were to be found amongst its directors and subscribers, some of the greatest and most respectable names in the city of Westminster. In the year 1825, the directors of the County Fire Office received an intimation, that certain parliamentary commissioners of inquiry, who had authority to that effect, were anxious to examine the books of that establishment; they also expressed a wish to see and examine some of the Company's clerks. The directors were told to send their books to the commissioners for examination; and in consequence, the books, to the amount of four coach-loads, were sent. It was quite natural that upon the rumour of such an inquiry being on foot, public attention should be drawn to it, and rumours circulated of various descriptions. The consequence was, that rumours did get afloat, and even went so far as to have exchequer processes publicly mentioned in the newspapers. These rumours had the effect of withdrawing several insurances from the County Fire Office, and tended to affect its stability. The directors and subscribers were, of course, anxious to inquire into the cause of these vague and groundless rumours, with a view to their immediate and most positive contradiction; and Mr. Barber Beaumont, the managing-director, wrote two or three letters to the commissioners on the subject. Those letters were written in a tone not, perhaps, so measured as after reflection would approve of; but they were written in a tone which his peculiar situation in the County Fire Office naturally called forth. He called upon the directors to examine him forthwith, and he thought his answers favourable not only to his own honour, but to the character and interests of the County Fire Office also. But the directors, not satisfied with this, and wishing for further inquiry, particularly with reference to the Exchequer processes which had been talked of, recommended that a legal investigation should take place, and were disappointed when they found it was not proceeded in. At length, out came the report of the right hon. gentleman, accompanied by the present bulky mass of evidence. And here he must observe, that the petitioners with great justice complained, first, that the report had not been presented with the evidence, within one month after the meet-
ng of the House, as was required by the provisions of the act—instead of this, however, it was not presented until the 26th of May, 1826, and the consequence was, that the House was shortly after dissolved; so that these gentlemen had no means of defending themselves, or of seeking redress by application to parliament. This regulation for the early introduction of the reports and evidence after the meeting of parliament, was made with good reason, because it was found necessary to throw the most effectual protection round persons whose characters might be affected by representations coming from so high and so irresponsible a quarter. When the report came out, the directors at once perceived the grounds of this inquiry. They found that they were charged with certain great crimes upon evidence, which they had good reason to believe had been received from persons who were little short of perjured informers. Feeling the most anxious desire at once to justify themselves, and bring those guilty persons (as they supposed them) to justice, the directors applied to the right hon. gentleman at the head of the commission (Mr. Wallace), and his colleagues, for the names of the witnesses, without which it was impossible they could proceed at law. It was necessary they should do this; for the House must know, that in an indictment for perjury, such as was here contemplated, the Report was no evidence; it was necessary to have the notes of the short-hand-writer, the acknowledgment of some of the commissioners, and the form of the oath itself. He held in his hand the answer which the commissioners were pleased to give upon that occasion. It was in substance this—"that they did not think it right, as it was not their duty, to give the requisite information." Now, if it was not their duty to furnish such information as would enable persons wrongfully accused to protect themselves, by punishing their false accusers—how was it that those commissioners held the power of punishing, when they pleased, persons giving false testimony the other way? Surely, it was never intended that there should be a law for the commissioners alone. The meaning and intent of the law must be, to deal out equal justice and equal protection to all. He meant not to impugn the conduct of the right hon. gentleman or his colleagues; but he must say, that in his opinion, when they gave such an answer to a highly respectable body of persons, anxious to relieve themselves from a charge of fraud, they acted very unadvisedly; and the more so, when the petitioners declared themselves possessed of the means by which the charge of perjury could be established. He would ask the House, whether the petitioners had not at least a priori facie case in their favour, when he stated that the witnesses called to establish the charges against them, the informers, were actually discharged servants of the County Fire Office? One of the witnesses, when examined, actually refused to give his name. Was this, he would ask, the kind of evidence upon which to found an accusation against a highly respectable commercial body? And had that body not reason to complain, when the right hon. gentleman and his colleagues refused them the means of establishing their character? He would also ask this other question, with respect to another branch of complaint of the petitioners. Why was it that the parliamentary commissioners entered into this inquiry, instead of the commissioners of stamps? It was well known that the Stamp-office was, by the 23rd Geo. 3, chap. 48, entitled to inquire into the accounts of the County Fire Office, and it gave to this act the power to protect the public against fraud. The answers given to this question, and which he considered of a most unsatisfactory nature, were described in the Report to Mr. Godfrey Sykes, the solicitor to the Stamp-office. Mr. Sykes was not present at this discussion; but there was no fear of his wanting defenders upon the present occasion, who would account for the part he had taken in this transaction. Mr. Sykes, he must describe as a most respectable gentleman, and he believed that this proceeding had originated in some matters which that gentleman had imperfectly got hold of. The grounds alleged by Mr. Sykes as those which induced the parliamentary commissioners to interfere, were—first, a fear that the managing director (Mr. B. Beaumont) would throw impediments in the way of the Stamp-office inquiry, and secondly, an impression that the Stamp-office, if they did undertake it, had no power to inspect the accounts. Now, he denied both these statements; and as to the authority of examining the accounts, it was strictly given to the Stamp-office, by the act of parliament. He would be bold to say, that this was the first time a parliamentary commission ventured to
inquire into the affairs of a large and respectable commercial establishment; and if this sort of inquiry was allowed to proceed without a good cause existing, the commercial interests of the country would be rendered altogether insecure. He was aware of the technical formality under which the interference of the commissioners was justified, namely, that those who had a right to inquire into the Stamp-office had also a right to inquire into the County Fire Office, which was placed under the control of that office. This, with the unsupported assertion of the solicitor, was the only justification for such an unusual interference in the affairs of a large mercantile concern. Even the mode of taking the evidence was not a little singular. A clerk of Mr. Sykes, the solicitor, was about to examine a witness; the witness refused to give his name; but the clerk, notwithstanding, continued to take the evidence without having even the name of the informer! Under these circumstances, what were the charges which the commissioners thought proper to bring against these respectable petitioners? That whenever any of their country agents failed, Mr. Barber Beaumont made out lists for the whole amount, and charged it to the Stamp-office, by which a difference was made in the company's favour of 2,000l. a year beyond what was due to them. He would ask, was that charge true? He boldly and fearlessly answered, that it was not true, and in making that assertion, he felt that he was borne out by the evidence. The petitioners denied the truth in the most direct and positive terms, and referred to the evidence contained in pages 671 and 672, for the truth of their assertion. On looking over the evidence, he felt the injustice done to them; and the House would see that he was justified in making this assertion, when he stated, that after twenty-nine cases of close investigation into the affairs of defaulters in Edinburgh, there had at length been discovered one single error, and that—to what amount did the House think? To the amount of 24s. which was owing by a man who died before he had settled his account. Taking, therefore, the average of Edinburgh as the standard, a defalcation of only 24s. instead of 2,000l. per annum, would be discovered. That, therefore, was the amount of error, or, as Mr. Sykes had chosen to call it, of fraud. But, surely, if even in the concerns of so great an office as the County Fire

Office, a few agents were discovered to have been guilty of misconduct, that was not a reason why the whole establishment should be charged with fraud? In the account of errors and defaults of all kinds, taken from the middle of the year 1807 up to July, 1825, and among no less than sixty-four agencies, the errors amounted only to 6,517l. 5s. 11d., and the defaults of these numerous agents did not exceed 798l. 2s. That evidence was taken on the account of Charles Stevens, and distinctly disproved the charges which had been brought, and gave a flat denial to the statement of fraud. He put it to the House, whether in an office, whose agents were to be found in the county of Inverness, and at the Land's End, it was possible that there should not be errors? He might even admit that some of the agents might be guilty of fraud. But that admission did not justify the general attack which had been made upon the establishment at large. One person certainly had been guilty of a fraud; he meant a person named Lye; but that person was, strange to say, one of the informers of the right hon. gentleman opposite; and since the discovery of his fraud, there had been a conspiracy between him and two other persons to injure, and defame the conductors of this office. Now, the petitioners most distinctly denied the existence of any fraud; and they said, that if the Office could be fairly and truly charged with having kept back a singlepence in the returns of duty made by them to the Stamp-office, they would give up their case. The next charge against them was, that they had over-rated the number of policies effected at their Office. Now, the truth was, that the number of ordered policies requiring stamps was given in every quarter to the Stamp-office; and if all these policies were not ultimately directed to be made out by the County Fire Office, the directors claimed a return of the duty which had been charged upon such policies as were not required. But why did the commissioners complain of this? Had it been any injury to the revenue? He was prepared to answer in the negative. Nay, more, he could shew that in reality the revenue had been, to a certain extent, positively benefited by it. The Office were in the habit of paying 40,000l. or 50,000l. per annum in stamps upon the policies effected there; and out of that sum they were generally 10,000l. in advance.
Susspending even, that they were obliged at last, by the policies not being finally made up, to claim a return of the 10,000l.; even then it was clear, that the revenue was benefitted to the extent of the interest of the money so advanced, from the time of its being advanced until it was reclaimed. It really was curious to observe the inviolate manner in which the commissioners had represented this transaction. They had first complained of it, as if it was an injury to the revenue; but he trusted he had said enough to show that it was not. Next, they spoke of it as having been used with a view to give to the County Fire Office the appearance of doing more than their real business. Now, that was not the intention, nor was it even the effect; for the public statement only contained the amount of the net proceeds, even as actually payable to the Stamp-office. Besides the principal charges to which he had already alluded, there were also subsidiary charges, which not only went to impugn the general direction of the office, but the management of a particular individual director. One of these subsidiary charges was, that Mr. Barber Beaumont, the managing director, had been guilty of throwing impediments in the way of the examinations which it had been found necessary to make of the books of the office. Now, that charge he denied at that moment as he had denied it before; and it was to be observed, that the evidence of their own witness, Mr. Deans, went to support the denial; for that witness stated, that when he went to examine the accounts, Mr. Beaumont directed that every assistance should be given him, and that the clerk should afford Mr. Deans every information he wanted; and in that respect he was confirmed by another witness, Mr. Johnson. The only observation Mr. Beaumont made was, to ask for what reason these persons were sent to examine the books of the office. A further contradiction of this charge was to be found in the two letters, addressed by Mr. Barber Beaumont to the commissioners, in which that gentleman courted every inquiry into his conduct. That charge, however, was not enough for Mr. Sykes, who went on to say, that since the inquiry had been in progress new books had been made, with a view, as it was insinuated, of defeating the inquiry. Did the right hon. gentleman mean to affirm that the charge was true? [Mr. Wallace here answered across the table, that his informant told him so.]—Mr. Hobhouse continued: Yes, it was true, the right hon. gentleman’s informant might tell him so, but did he himself mean to maintain that part of the charge, or did he even give any credit to it? Surely he could not, founded as it was upon hearsay evidence, which he did not hesitate to characterize as infamous. The conduct of the commissioners, in this respect, seemed to him to be justly liable to complaint. They first of all received evidence of this nature, and then not only admitted it upon their notes, and introduced it into their report, but abstained from expressing their own opinion of it, and did not even condescend to acknowledge the equivocal nature of the evidence. None of the charges were, as they ought to have been, positive and distinct. On the contrary every thing rested on surmises. Mr. Sykes, "rather suspected" there was some fraud; he "thought" there had been some tampering with the people at Edinburgh; and lastly, it "rather struck him," that Mr. Barber Beaumont, knowing the particular numbers of the policies, had availed himself of that knowledge, for the purpose of throwing impediments in the way of the examination which it had been proposed to commence. Now, it really was too bad, by making these surmises, by expressing these suspicions, and hinting these doubts, thus to cast imputations of so heavy a nature upon any individual, or upon any establishment. It was too much that their reputation should be thus whispered away by two persons, one of whom did not know his name, and the other only expressed his vague suspicions that all was not correct. Yet, in this manner was the character of Mr. Barber Beaumont, and that of the County Fire Office to be ruined, although that great commercial concern was one of so much respectability as any in London. If the indefinite charges thus made were to be taken as true, the directors of the County Fire Office were worse than the unjust steward, who, when the servant said that he owed his lord forty pounds, answered—"take thy bill and write four score," for they had written 4,000l, where nothing like that sum existed, and it was charged that they had done so, merely with the view of swelling the balance of the account. It was charged too, that in no one instance had Mr. Beaumont shewn any exact sum; and an extract was annexed, with the view, as it was said, of proving that assertion. However, when that extract was shown,
the assertion was disproved: for, instead of there being a large sum in his favour, it appeared, that from the year 1819 to the year 1825, there was a balance of 61l. against him. The extract therefore proved, that he had not entered into any deal with the accounts, in order to make himself entitled to a large balance. It was stated too, that the commissioners asked the question whether Mr. Beaumont's continuance in his office did not depend on the success with which he conducted the concern, and that he answered that question in the affirmative: therefore, said the commissioners, he had been led to throw dust into the eyes of those who were connected with the concern as insurers, since they were the persons on whom he depended for a continuance in his office. Now, he would appeal to any one, even to the right hon. gentleman opposite, whether such an insinuation ought to have been made? He recollected, that that right hon. gentleman had, a short time since, said, in a most manly and honourable manner, that it was his wish that this inquiry should be followed up, because there had been an attack made on his character. Surely, if the right hon. gentleman felt such an anxiety, it must be felt in as great, if not in a greater, degree, by Mr. Barber Beaumont; for, while attacks of the most serious description had been made upon his character, no attack had been made upon that of the right hon. gentleman opposite, except the accusation of having allowed charges to stand which ought never to have been permitted to remain a moment after the evidence had been received.—One of the charges brought against the directors of this office was that of having colluded with Mr. Sedgwick, lately the chairman of the Board of Stamps. Now, to that charge there was a contradiction on the evidence of the strongest possible kind. That contradiction was one which it was impossible to meet or to falsify—it was the contradiction of time. He held in his hand a pamphlet, published by Mr. Sedgwick, containing letters which disproved that charge; and by reference to the time at which the supposed acts of collusion were alleged to have been committed, shewed that the charge was utterly unfounded. If the whole of the matters contained in that pamphlet were true, then he had no hesitation in declaring it as his opinion, that Mr. Sedgwick was a man who had been hardly dealt with. Whether the commissioners had any thing else to allege against that gentleman, he was not able to say; but he certainly did think that there was nothing in the evidence to affect Mr. Sedgwick. The numbers of the third report were not made known to the House before it was communicated to Mr. Beaumont by Mr. Sedgwick, were numbers of policies that were made in the year 1811; at which time Mr. Sedgwick had nothing to do with the matter. But he had to complain of the manner in which the statement of the defaults was made. A gross sum of 756l. 19s. 2d. was stated as the result of the amount of Return-duty, claimed within three quarters. Now, in the manner that statement was made, any one would imagine that these three quarters were three successive quarters in one year; but, upon examination, he discovered that they were quarters selected from three different years; one of which was 1815, another 1821, and a third, 1822. What was the excuse which the commissioners made for the conduct they had pursued? Why merely this: they said they must receive the evidence when it was offered, and that they were bound to listen to it as it regarded the matter into which they were directed to inquire. Of that he did not so much complain; but he did complain, that when they found the gross charge of the directors making a sum of 2,000l. per annum disproved; and when, in like manner, they found there was no evidence to support the charge of abstracting the old books and making new ones, or of attempting to prevent the investigation which had been ordered; when they found, too, that the charge of collusion between the directors of the County Fire-office, and the chairman of the Board of Stamps, was contradicted in the most decided and satisfactory manner—he said he did complain that, when they found all these things, they did not do what he conceived it to have been their bounden duty to have done; namely, either to have pronounced a direct acquittal, or to have put the accused individuals directly on their trial before the country, in order to give them an opportunity of proving whether they were innocent or not. They had, however, done no such thing; but, by way of satisfaction for not doing it, they had afforded these individuals the comfort of knowing that they were to be proceeded against, and for that purpose had actually issued Exchequer process against them.
Certainly, nothing could be more agreeable to any body than to be the subject of an Exchequer process at any time, but especially under the circumstances in which these individuals stood. From the month of June, 1825, to this period in 1827, these imputations had been suffered to lie upon these persons—imputations which were enough to crush any establishment in Europe. After they had demanded an investigation, but in vain—after they had suffered so long from every obloquy—they were now to be gratified with an Exchequer process. The right hon. gentleman opposite had objected to any examination into the inquiry at this moment, because he had said it would prejudice the inquiry that was now about to commence in a court of law. But, surely, the report which that right hon. gentleman had made had already produced that effect; but, the right hon. gentleman had not been content with that; for he had instituted this Exchequer process, just at the very time that this examination was to take place. He would ask that right hon. gentleman whether the Exchequer process would not prejudice the accused individuals? Whether it would not, in some measure, have the effect of fixing on them the charges which had already been attempted to be made, with regard to the conduct of the Office relative to the abstraction of the old books, and the making of new, and the other charges, which he thought the evidence under the inquiry went to disprove? He had no doubt that the right hon. gentleman might succeed in establishing a charge of malversation against some of the numerous agents of this great office; but such a proof would not affect the character of the management of the office, unless it could be proved that the directors had pursued a deliberate system of fraud, with a view to deprive the revenue of property that ought justly to have been applied to the increase of the public resources. Commissioners, and gentlemen in the situation of the right hon. gentleman, were not likely to make apologies for what they had done, however improperly they might have acted, and the petitioners did not require from them any apology; but why did not the commissioners say at once (as he thought the evidence called on them to do), that the charges which had been made were not true, and could not be supported by proof? True it might be that the report was not made by the right hon. gentleman; but it had been made by others, and was sanctioned by him, and might so far, therefore, be considered his. Parliamentary commissioners were vested with immense powers; and when they came to exercise those powers, they ought to watch most carefully lest any abuse of them should be committed. The petitioners prayed that the House would make an inquiry into the manner in which the commissioners had dealt with them, and would afford them some remedy for the injury they had suffered; and would also take into consideration what means could be adopted to prevent the recurrence of such things on any similar occasion.

The petition, of which the following is a copy, was then received:

"The humble Petition of the undersigned Directors and Members of the County Fire Office,

"Sheweth:—That the County Fire Office has been conducted nearly twenty years, with benefit to your Petitioners, and to the public; nearly one hundred thousand persons having sought and found protection for their property therein.

"That the Directors have disbursed upwards of a million sterling in payments to sufferers by fire, and to Government, and for dividends and expenses; and the integrity of their conduct had never been called in question until the month of May, 1825, when Mr. Godfrey Sykes, Solicitor to the Stamp Office, commenced, and the Commissioners of Inquiry into the Collection and Management of the Revenue arising in Ireland, &c. continued, a series of proceedings defamatory to the character, and injurious to the property, of your Petitioners.

"That, during seventeen months, the Directors had been exposed to reports which they knew to be totally false and unfounded, but which they were unable to refute, in consequence of their inability to procure a definite knowledge of the accusation against them, and of the name of their accuser; but the publication of the Fourteenth Report of the said Commissioners, with the Appendix, which took place in last October, at length disclosed to them the false evidence which had defamed them. They accordingly ordered a prosecution for perjury to be instituted against an informer, John Hubbard, and had a bill of indictment prepared for that purpose, to be presented at the Middlesex Quarter..."
Sessions, in last October aforesaid; but for this purpose, it became necessary to know the names of the Commissioners who were present when his evidence was taken, and the form of oath which they had administered to him; wherefore application was made to three of the Commissioners, the Right Hon. Thomas Wallace, Mr. Berens, and Mr. Lushington, for information on those technical points. This information they have refused to give, and, by so doing, have arrested the course of justice against the false witness, and deprived your Petitioners of their undoubted right of judicial justification.

"That the Act of Parliament which constitutes the said Commission, provides that, if any witness before the Commissioners shall swear falsely, he shall be liable to the penalties of perjury, a provision apparently intended as much to protect the public against false witnesses, as to further the objects of the said Commission; but this protection is defeated when the Commissioners (no other persons being present at the examinations than themselves, their short-hand writer, and the witness) refuse to disclose the facts necessary to support a prosecution against such witness, if he swear falsely.

"That your Petitioners, have, in consequence, advised with eminent Counsel upon the legal means of enforcing the disclosure of such necessary information from the said Commissioners, and they find that no such legal means exist.

"That your Petitioners, therefore, humbly make known to your honourable House, the wrong which they have suffered by the acts of the said Commissioners, and for which there are no means of legal redress provided; first, in the said Commissioners having unjustly defamed your Petitioners; and secondly, in their refusing to disclose the technical facts necessary to further the ends of justice against a false witness, their informer.

"That, by the Act of 22 Geo. 3., c. 48, the duty accounts of the fire offices are placed under the immediate control of the Board of Commissioners of Stamps; and a majority of them are empowered to direct an examination to be made of the Fire Office duty accounts, whenever they find occasion. Your Petitioners submit, that, had this legal course of investigation been adopted, the books of the County Fire Office would have demonstrated the information lodged against the said Office to have been totally false and groundless.

But Mr. Godfrey Sykes, as Solicitor of Stamps, chose to disregard this legal course, and, instead thereof, to make inquiries among persons who had been insured by the County Fire Office, unknown to the said Board of Stamps, or to the County Fire Office; and, in this having failed, he had the temerity falsely to attribute his failure to impediments thrown in his way by the Managing Director of the County Fire Office; and, in disregard of his superior, the Chairman of the Board of Stamps, who admonished him on the harsh and unjust course he was pursuing, took measures to subject the County Fire Office accounts to the jurisdiction of the Commissioners of Inquiry aforesaid, upon the false and improbable information of a person who absolutely refused to give his name; and, by so doing, has caused that mass of imputations to be collected, printed, and published, which could only obtain currency with impunity by such means.

"That the sum and substance of these imputations are contained in Mr. Sykes's evidence, 'that whenever country collectors failed, Mr. Barber Beaumont ordered lists to be made out, and claims to be made for returns of duty to the amount to which the Agent had failed'—'that this has been regularly done in the County Fire Office, and has been well known, to the amount of about 2,000l. a year, constantly.'

"That this statement is received by the aforesaid Commissioners as evidence, and printed and published, to your Petitioners' great dishonour and injury, upon the hearay of Mr. Sykes, who says he was told it by Mr. Mawe, his clerk, who is in partnership with Mr. Bignold, of the Norwich Union Fire Office, who says he had it from Mr. Hallam, late of the Stamp Office, and a Director of the Beacon Fire Office, who, it appears, was told it by Mr. Spike, the Solicitor of the Beacon Fire Office, who heard it from a person who refused to give his name, then employed by the Beacon Fire Office, but who had been a clerk in the County Fire Office.

To the above statement Mr. Sykes adds, that 'since this (his inquiry) began, they (the County Fire Office) are now making out new books in the Office—complete new sets of books.'

"That, in support of the anonymous hearsays thus brought forward, your Petitioners submit, that Mr. Sykes offers no proof whatever, nor does he name his
informers; yet he had every means of proving his case, had it been true. Four coaches, loads of the books and papers were despatched from the County Fire Office to the Commissioners of Inquiry, by their command, and kept by them under examination nearly a week; the discharged and confederating clerks were his witnesses; the clerks remaining in the County Fire Office were long and rigorously examined by the Chairman; but the only real facts established were these.—First, that after an eager investigation of twenty-nine cases of claims for returns of duty, in a defaulter’s account at Edinburgh, selected by the informer as the most easily proved, an error was found in a solitary payment of 24s., which, it appears, the agent had failed to account for, he having died (although four receipts are printed with the evidence, only one of which has to do with the case); and 2ndly, that after an examination (by two persons appointed by the Commissioners) of all the claims for returns of duty in defaulters accounts, the examiners report the gross amount to be 750l. 19s. 2d.; thus conclusively disproving the accusation by their own witnesses, for if the whole of the returns claimed were erroneous instead of being generally well-founded, as they are, the errors could not exceed the full amount of the claims, which average 4l. a year; but if the proportion of probable errors to the whole amount be considered, and the result of the investigation at Edinburgh be taken as a guide, the average will be 28s. a year instead of 2,000l. a year, constantly, for the errors, or, in the language of Mr. Sykes, ‘the frauds.’

“That your honourable House will, however, observe, that this prompt mode of payment is made the subject of a fresh imputation on the County Fire-office; the Report observes, ‘it would be difficult to account for such deviation from the general practice, if it had not the effect of giving to the office the appearance of doing more business than it really did;’ but this imputation also is opposed to the evidence and to the fact, for no such motives were entertained, nor was any such effect produced, seeing that the nett payment of duty, after deducting the returns, is alone quoted. It also involves the contradiction, that your Petitioners paid much more duty than they need have done, to improve appearances, and paid a little less than they ought to have done, at their peril, although it must have lessened those appearances.

“That Mr. Sykes’s deposition, that he applied to the Commissioners of Inquiry, ‘in consequence of Mr. Barber Beaumont having refused the inspection of his books, and finding there was no authority to inspect them,’ your Petitioners submit is a
gros misrepresentation. The evidence of
Messrs. Johnson and Dean, and the letters
of Mr. Barber Beaumont, prove that, so
far from having refused any inspection of
the books, he, at all times, evinced the
utmost eagerness for a full investigation.
Mr. Sykes's next averment of there being
"no authority to inspect them," is equally
unfounded, as the Board of Stamps are
especially and effectually empowered to
make such inspection by the Act of 22nd
George 3rd already noticed.

"That to this legal supervision your
Petitioners cheerfully submit, as in duty
bound; but your Petitioners humbly con-
sceive, that it never was the intention of
the Legislature that 'The Commissioners of
Inquiry into the Collection and Man-
agement of the Revenue in Ireland, &c.'
should take upon themselves to examine
into, and determine on, the affairs and on
the character of an English Insurance
Company, in the manner in which the
said Commissioners have done with respect
to the County Fire-office. Your Peti-
tioners derive no profit nor emolument
from the Agent's collection of duty; the
poundage goes wholly to the Agent. The
trouble and responsibility of preparing,
collecting, and arranging such Agent's ac-
counts and remittances, and of making
good their deficiencies, compose a great
portion of the labour and expense of
managing the business of Fire Insurance.
This task is forced on them much against
their inclination. Your Petitioners, there-
fore, humbly conceive that they ought not
to be deprived of the protection of the
laws, and to have their interests and
honour prostrated before Commissioners,
who examine in secrecy, and who publish
unfounded statements, said to be collected
from an informer, who refuses even to give
his name.

"That your Petitioners will make no
observations on the elaborate means which
have been used to create an impression
that a collusion existed between the Man-
aging Director of the County Fire-office
and the late Chairman of the Board of
Stamps, as they think a perusal of the
evidence must convince your Honourable
House of the fallacy of that attempt, and
also of the improper spirit with which it
has been pursued; but they cannot refrain
from calling the particular attention of
your Honourable House to the declaration
in the Report, that it was the intention
of Mr. Sykes to institute a prosecution
against the County Fire-office for pre-
tended frauds, if he could have obtained
evidence to sustain such prosecution, and
to the disposition avowed by the Commiss-
ioners to encourage such prosecution;
and to compare such avowals of purpose
with the means used by the said Commis-
ioners to create such evidence, by putting
leading questions, and by receiving as
evidence unfounded hearsays and alleged
suspicions; a course of proceeding incon-
istent with every principle of justice and
of judicial examination.

"That your Petitioners, therefore, hum-
bly pray your Honourable House to take
the injuries which they have suffered into
your most serious consideration, and to
guard your petitioners and others from a
recurrence of similar acts of injustice and
oppression, by limiting the discretionary
powers of the Commissioners to the objects
contemplated by the Legislature, and by
rendering powers so liable to abuse amen-
able to the laws; or by such other means
as, in the superior wisdom of your Ho-
ourable House, shall seem fit and pro-
per; and also, that your Honourable
House will give such directions as may
render the legal provision against perjury
in the Act of Parliament constituting the
said Commission, available. And your
Petitioners will ever pray," &c.

Colonel Stithorpes said, that, if the
charges contained in the Report were true,
let them be proved; but, if false, he must
declare that there never was anything more
unfair or illiberal than to publish them,
without affording the accused party the
means of contradicting them, and justifying
their own conduct. Such a course
was, indeed, in his opinion, the last that
ought to be pursued; and, unwilling as
he might be to use such a term, it seemed
to him little better than assassination.

Mr. Wallace began by observing that,
after what had fallen from the hon. mem-
ber opposite, and the gallant colonel, who
had just addressed the House, he should
be wanting in his duty to the House, to
the commissioners, and to himself, if he
did not offer a few observations, in defence
of the conduct which the commissioners
had pursued. With respect to the pre-
senting of the petition itself, he had no
reason to complain. Every subject of this
country, who might suppose himself to be
agrieved by any act of persons invested
with authority, had undoubtedly a right
to make his appeal to the House, The
petitioners supposed themselves to have been aggrieved, and they had exercised that right, and had made their appeal to the House. It was not of that which he complained; but he objected to the manner in which the petition stated their appeal, and to the grounds which had been taken up by the hon. member in presenting it. Before, however, he went into a detail of those grounds, he wished to say a few words on a point more immediately regarding the Report itself. The first objection was as to the time at which the Report was made. Now, he wished merely to say, that, by the act under which the commissioners were appointed, it was allowed them a certain time to make their Report to the Treasury; and they were not bound to lay that Report before parliament, until one month after it had been completed. Another point on which the hon. member had arraigned the commissioners was, that they had allowed statements which he considered totally unfounded, to stand in the evidence. He (Mr. Wallace) could only say, that the evidence had been produced, and the statements had been made to the commissioners, which they could not, in the discharge of their duty, refuse either to hear or to print. The charges of the hon. gentleman resolved themselves chiefly into two objections to the act of parliament, 1. The obstruction offered to the course of public justice. It had been stated to the commissioners, that fraud to a considerable amount, and for a number of years, had been effected upon the revenue; and on this account, they had taken the line of examination which had been the subject of complaint. In the speeches at the meeting, when the petition was agreed to, and in the letters to which the hon. member had alluded, an attempt had been made to consider the acts of the commission as the acts of only a single individual; but that attempt could never have produced any effect upon those who knew the manner in which the commission had been formed. It was impossible to find any men whose understandings were less likely to be deluded, or who could be less easily persuaded upon to do any act contrary to the strict line of their duty. It was no small satisfaction to him to know, that every statement in the Report had met with the unanimous concurrence of the commissioners; and on no topic had unanimity been more cordial than what related to the County Insurance-office. He made this assertion in justice to the commissioners, and not with any view of withdrawing himself from any degree of responsibility connected with the Report. It was perfectly true, that an application for the minutes of the commissioners, to form the foundation of a prosecution against one of the witnesses, had been refused. It was not a demand for anything merely technical, but the letter required the communication of all the minutes, and threatened, that if they were refused, the commissioners would be personally compelled to give evidence on the subject; in fact *subpœnas* had been served upon them. The second application had, indeed, been for something preliminary; but without the minutes it could be of no use, and the demand was substantially for the whole of the evidence, and the reason for refusal, which applied to the whole, would apply equally to a part. With the motives for the application, whether for supporting the character of the office, or for visiting with vengeance the unfortunate individual who had been the means of making the undesirable disclosure, they had nothing to do. All that the commissioners had to consider was, the situation in which they were placed, and the duties of that situation. Having gone through, the task imposed upon them by the act of parliament, they did not feel that the minutes belonged to them; and they could not, therefore, apply them to any purpose, without the previous consent of the House. Minutes taken for a particular purpose, were the property of the party for whom they were taken. In prosecutions in the Exchequer, the minutes belonged to the Crown, and applications for them had been sometimes complied with, and sometimes refused. The same might be said of evidence taken before either House of Parliament, and no communication could be made without previous permission. In one instance, Mr. Bragge Bathurst had expressly moved a declaratory resolution upon the subject. The evidence taken before a parliamentary commission ought not to be accessible to every individual who thought fit to apply for it; but, in this case, the commissioners did not think it right to take upon themselves to decide; they had resorted to the best and highest authorities on the subject—the law officers of the Crown—and they gave it as their opinion, that the commiss-
venerate were neither bound nor warranted in making any disclosures of minutes excepting in the manner prescribed by the statute. No imputation could, therefore, rest upon the commissioners, that they had thus endeavoured to protect a witness against the consequences of his perjury. If they were bound to comply, every person who gave information, or became a witness, might be threatened and exposed to all the vexation of a prosecution; and, under colour of law, be subject to the most grievous injustice. Parliament might appoint as many commissioners as it pleased to inquire into public defects or abuses, but no man would venture to afford them any intelligence, or to appear as a witness before them, under such circumstances; and the boasted inquisitorial power of parliament would become a mere form of speech, without any corresponding meaning. The moment such a principle was established, as that commissioners might even be compelled to disclose matters communicated to them, their appointment for any useful result would be absolutely nugatory. The next head of complaint was, the abuse of the discretionary powers intrusted by the act to the commissioners in the institution and prosecution of the inquiry into the conduct of individuals. He knew that a good deal of indignation had been excited upon this subject, and the managing director of the County Fire Office had expressed himself very strongly against the manner in which the clerks of the office had been required to attend and to give evidence under all disadvantages, surrounded by commissioners to interrogate, and short-hand writers to take down all that was extracted from the witnesses, who had no adviser present to give them assistance. Stripped of the nonsensical bombast in which it had been clothed by the managing director, the simple fact was merely this: that a person had been sent to the office to ascertain the particular points from the books of the company, and not only did not the managing director object to this course, but he had stated that it was a highly proper measure, and liable to no suspicion. When the matter was brought before the commissioners, they had undoubtedly exercised a power which belonged to every committee of the House of Commons—that of sending for persons, papers, and records. When they thought a witness was attempting to conceal facts and prevaricate, they decided that the clause in the act applicable to prevarication should be read. The commission was constituted for the express purpose of making a full and accurate investigation into the manner in which the public revenue was collected. The officers employed in the collection, of course, came within the purview of the act of parliament, and, regarding them and their conduct, the commissioners were bound especially to inquire. In the first instance, the commission related only to the revenue of Ireland, and its powers were subsequently extended to England and Scotland; and it was not to be forgotten, that the inquiry related in the department of stamps only, in the three kingdoms, to seven millions of money. In Scotland and England, it had been found necessary to re-construct the whole system, in consequence of the many objections to it. With regard to the stamps on insurances, the duty was collected by the offices themselves, as they issued the policies, and they were required to deliver in a quarterly account, in a specified form, of new policies and renewed policies: it was not an account of the policies issued, but of the money received by the different offices in the quarter. Certain deductions were allowed to be afterwards made upon policies surrendered, and upon such as had terminated prior to a certain date: on these the offices were entitled to claim a return of a proportion of the duty paid. Such were the directions of the act; but one office, that to which the hon. member had particularly called the attention of the House, had chosen to construe the act in a way different from the interpretation elsewhere put upon it. It chose to debit itself with all the policies and renewals actually made, or expected to be taken out, during the quarter, and then they demanded returns, not only upon receipts returned, but upon letters of agents, stating that they had lost receipts, and therefore could not return them, and upon all the policies and renewals that had been issued, and of which they had no account at the head office in London, notwithstanding it was possible, as Mr. Barber Beaumont himself admitted, that the money might have been received upon them in the country. As the act contemplated and allowed no such returns, of course the account furnished by the office was not at all according to the form prescribed by law; but the affi-
Mr. Sykes appeared to him to have acted not only properly, but with peculiar caution. That gentleman had received information from his clerk, and from Mr. Hallam, a clerk in the office, and that information was accompanied by papers confirmatory of its accuracy; and Mr. Sykes was bound to attend to it, and could not have done otherwise without a neglect of duty. This information was not anonymous—it was given by an honourable person, who stated all the circumstances of the fraud, supporting his statement by the production of policies and other papers bearing on the point. Mr. Sykes, instead of applying to the Stamp Office, or any other tribunal which could not investigate the matter fully, carried the information directly to the Board of Commissioners, who had the power to sift the affair thoroughly. The board having considered the subject, directed Mr. Sykes to proceed in the proper manner, and nine cases were sent for investigation to Scotland. Out of these nine cases, two had been inconclusively proved. Was not that a very suspicious circumstance? It could not be reasonably denied that it was a good ground for the strongest suspicions as to the improper nature of these transactions. Could the commissioners then, with any regard to their duty, hesitate, for a moment, to proceed to a thorough investigation of these matters? Ought they to have hesitated, even if the frauds had been discovered merely by an accident? They could not, consistently with due attention to the purposes for which the board had been constituted, have hesitated a moment; and he defied the hon. gentleman to point out any other mode by which they could have done their duty. It had been said or insinuated, that Mr. Sykes ought, in the first place, to have applied to the Insurance Office for an explanation. This, no doubt, would have been a very proper course to have adopted, if Mr. Sykes had been confident that a sincere and candid explanation would have been given at the office. But Mr. Sykes did not think that he could get this fair and candid explanation at the Insurance Office; and it was but natural, at least, that he should have had his suspicions on that head. Neither would it have answered the purpose to have applied to the Commissioners of Stamps: because they had not the power to sift the matter
to the bottom. Two accounts were given into the Stamp Office, and the Stamp Commissioners would only examine one by the other. But both these accounts, prepared in the same manner, and perhaps by the same hands, might be fraudulent, and yet the Commissioners of Stamps had no power to follow up the inquiry further. It might, therefore, be well imagined, that an inquiry by the Stamp Commissioners could have been attended by no satisfactory result. Under these circumstances, the only proper mode of proceeding was, to bring the matter before a commission armed with the powers of a committee of the House of Commons, which could thoroughly investigate the matter; and to this tribunal Mr. Sykes had most properly applied. Indeed, it would have been a gross neglect of duty, on the part of Mr. Sykes, if he had not laid the whole of the transactions before that commission. The matter did not rest entirely on anonymous communications; for it appeared, from the Waste-book of the company, that claims had been most improperly made on government, in respect of policies actually existing; and these claims had been admitted at the Stamp Office, where the fraud could not easily be detected. It was clear, then, that claims had been made, and deductions allowed, without proper authority, or cause. It might be said, that all this arose from mistake; but there was the strongest reason to believe that it was the result of contrivance. True it was, that in the management of so large a concern, mistakes might occasionally be made; and where there was no reasonable ground for suspicion, charity would induce one to ascribe such mistakes to mere error. But, when persons came with information, that frauds had been committed, pointing out at the same time the way in which the frauds had been committed, with all the circumstances connected with them, and when, upon inquiry, it turned out that the transactions had been conducted exactly in the manner stated by the informer, it was too much to carry charity so far, as to suppose that all this was a mistake. In his opinion, it had been completely proved, that there was fraud in these transactions—whether committed by the clerks or by higher authorities in the office, he did not presume to say; but he was fully satisfied that a fraud had been committed. Another explanation had been attempted, which was this—that the whole was a contrivance of clerks to injure the office. The commissioners, always anxious to procure the fullest possible information, and to give room for every proper explanation, had permitted Mr. Beaumont to appear before them, that they might receive from him such information and explanation as he might choose to give. On that occasion, Mr. Beaumont had accused one of the clerks of the County Fire Company of having acted from malignant motives against the office; and he had produced certain letters for the purpose of corroborating that statement. But, from the contents of these letters, it appeared to be doubted whether it was meant that Mr. Lyne had himself invented the information which he had communicated, or had stated only that which he himself knew to be true. But one thing was remarkable—that this clerk had gone through all these complicated operations of accounts of money claimed and received, and other matters, and yet had made no use of all this for his own peculiar benefit or advantage; and the whole scheme had been unravelled, merely by the incidental inquiries of a commission which was not then in existence. This, then, was the complicated act of revenge resorted to by this clerk—an act by which he had put so many hundred pounds in the way of the company. But besides this, most important entries with reference to the matter in question had been made in the company’s books by a clerk of the name of Shepherd. They had got complete proof of the handwriting of that man, and the same objection did not apply to him as had been urged against the other clerk. [A member here observed that the clerk had been dismissed on a charge of forgery]. He had not been dismissed on a charge of forgery, but had retired; or had been dismissed, on account of a charge of bigamy preferred against him. There was no objection to him on the ground of forgery. No ground for a vindictive feeling on the part of this man had been alleged, and, therefore, on this part of the case, the evidence was very strong. The entries made after the retirement of Shepherd were also very material; and it had been stated by Mr. Beaumont, that his instructions to the successor of Shepherd were, that he should follow the order of his predecessor; but it appeared quite impossible that the successor should have
done what he had actually done, upon such a general instruction. The clerk must have had more detailed instructions. Any one who would only carefully consider what the clerk had to do, and what he had done, could not but be convinced, that the clerk must have been unable to proceed upon such a general instruction. He must have had more detailed instructions; and, indeed, it appeared strange, that the clerk, acting under the directions of Mr. Beaumont, should have been left to select the particular numbers himself. He did not mean to say positively who was to blame in this affair, but it was evident that blame did attach to the office somewhere, and for this the office was responsible. He believed he had now touched on most of the points to which the hon. member had alluded. With respect to the remarks of the hon. member, as to the question about Mr. Beaumont's object being to throw dust in the eyes of those upon whom his appointment depended, he would offer some explanation. A clerk of the office, when under examination, had stated, that Mr. Beaumont had had recourse to an expedient to make the accounts square, to show the directors that he had conducted the business with as little loss as possible, and that Mr. Beaumont's continuance in the management of the concern depended on the success with which he appeared to conduct it; whereupon some of the commissioners very naturally observed, "Therefore the great object is to throw dust in the eyes of the persons on whom the appointment depends." To which the witness answered in the affirmative.—Under the circumstances, he saw no reason to blame the commissioners for having made the observation which he had mentioned. Upon the whole, it must be obvious, that it was the bounden duty of the commissioners to institute the inquiries in the case of the County Fire Office. The hon. member had said, that the whole question was only about a matter of a few shillings; but it was clear from the items, that there was fraud to a considerable amount, and that a large sum had been lost to the public. By whom that fraud had been committed, he did not say. But the entries of Shepherd, and of another clerk, afforded convincing proof of fraud; or at least of the fact, that illegal, improper, and unfounded claims had been made by the office against the government. He did not mean to say that money was the object of those by whom these improper proceedings had been adopted. He did not believe, for instance, that it was the object of Mr. Barber Beaumont to put one farthing in his pocket, by any scheme of this kind. But he could very well conceive, that the object of the individual might be, to show that he conducted the business well. This might have been the motive; and the point might be esteemed of great importance, by a person who might have no design to procure for himself, by this means, any immediate pecuniary advantage. It ought further to be observed, that the hon. member appeared to think that the items to which he had referred constituted the whole of the unfounded claims made against the government by the office; whereas, in point of fact, they only formed one head of them. There were claims also to the amount of 2,176l., of which 1,656l. were for two claims at different times. Now, a double claim could not be made, without, on the very face of it, exciting the strongest suspicion. The right hon. gentleman was proceeding with some other statements, when

Mr. Hume rose to order. The complaint of the petitioners was, that their conduct had been misrepresented; that the report of the commissioners was not consistent with the evidence annexed to their report. To disprove that allegation, the right hon. gentleman was making a statement to show what had taken place at a subsequent period. He submitted, that this additional evidence should be laid on the table; in order that those members who differed from him should be prepared with an adequate knowledge of the question. It was surely irregular in the right hon. gentleman to bring forward statements not in the possession of the rest of the House, in order to rebute the charges against him.

The Speaker said, that he did not understand how the statements of the right hon. gentleman could affect the point of order, provided they were relative to the subject of debate. How far that course might be fair, in point of argument, it was not for him to decide; but there could, he thought, be no doubt as to the point of order.

Sir R. Wilson appealed to the liberality of the right hon. gentleman, who, he was sure, would not persever with the course be was following.
Mr. Wallace resumed. One of the views taken by the hon. gentleman was, that the statements of the commissioners must be unfounded, because the frauds produced such a trifling sum. It was to that point that he was replying when he was interrupted. There could be no doubt that all the policies not used ought to have been cancelled within the year; and, when it was found that this rule was not acted upon, a presumption necessarily arose of great irregularity—not to say fraud. He was pointing out that the amount of the claims actually made showed the unlimited extent to which the practice might have been carried, if it had not been checked. The hon. gentleman had talked, in lofty terms, of this high and honourable Insurance Office; and, for what he knew, it might deserve all the panegyrics bestowed upon it; but, if it was ten times greater and higher than the hon. gentleman represented it to be, still he was not aware of any sanctity which rendered it inaccessible to the inquiries of parliament; nor, in case of the appearance of malversation, was it entitled to escape from just censure. With regard to the other subject to which the hon. gentleman had alluded, he hardly knew how to speak of it with the respect due to the House. In that case, not only himself, but the whole body of commissioners, as well as the entire board of the Treasury, and, indeed, all the members of government, were charged with entering into a conspiracy to protect some inferior officers of the revenue in Scotland. On the very statement of it, this was a charge much too absurd for serious refutation. Neither would he then go into a reply to the letters which Mr. Sedgwick had published. All he would say was this—that, supposing their contents true in every respect, they would not remove one particle of the charges, either against him or the late Board of Stamps. They would not controvert one of the facts proved in evidence before the commission against that board, as to the dissensions always prevailing amongst them, their contumacious violation of the orders of the Treasury, and their defiance of the acts of parliament, by which their conduct should have been regulated. Nor would they remove from Mr. Sedgwick individually the charge of being the proprietor of a newspaper, while he held an office imposing upon him the particular duty of executing laws which it became his private interest to relax and evade. Nor could any statement of Mr. Sedgwick's exonerate him from the charge of permitting another man to come before him, in his capacity as chairman of the Board of Stamps, and swear that he was proprietor of that newspaper, which he well knew was his own property, though he had colourably, for his own purposes, divested himself of it in point of legal form.—He was now speaking entirely of facts, proved in the evidence appended to the report. None of Mr. Sedgwick's attacks on the commission could remove the charge of collusion with the County Fire Office. That collusion was suspected from the beginning. Mr. Sykes stated, that he would not make the communication, because he knew that Mr. Sedgwick was connected with the manager of that office. Mr. Sykes stood mainly and directly on the doubt he felt, that the information would be communicated. After a certain time, Mr. Sedgwick desired that some of the numbers should be given to him, relative to which the inquiry had been prosecuted. Two of them were accordingly supplied; and soon afterwards one of the clerks saw a paper, in the hand-writing of Mr. Barber Beaumont, which he believed to be the very same he had delivered to Mr. Sedgwick.—If the case rested there, he would not press it; for he admitted that a man might be easily deceived. But, what happened afterwards? In the course of the same day, Mr. Sedgwick sent for that clerk, and told him that one of the numbers was a mistake. On that point the commissioners had examined Mr. Barber Beaumont; who stated, that, if such an error had occurred, it could be discovered in only one of three ways. The first was, by the books at the Stamp Office, which were in so bad a state, especially the earlier ones, that they were never examined; and, according to the evidence of one clerk, it would have required a week to search them effectually. The next mode of detection, Mr. Beaumont said, was by communicating with the company's agents in Scotland; but that was evidently impossible, in the course of a few hours. The only remaining method was by communicating with the County Fire Office; and sure he was, that, if any member of that House was called upon as a jurymen, to give a verdict on that evidence, he would feel himself irresistibly.
compelled to come to the same conclusion as the commissioners. This was the first time it had been necessary for him to defend or explain any part of their conduct; though they had been long and diligently employed in the public service, and, he hoped, not unprofitably. They had carried into effect many important improvements, and they had suggested many others, which were under consideration. In performing their duty, they had, of course, frequently touched the interests and feelings of many public officers; but especially now that their labours were drawing fast to a close—for the act would expire in a few months—it was a great satisfaction to him, that their motives had never been impeached, except in the two cases to which the hon. gentleman had that evening called the attention of the House; and he trusted, he had given such an explanation, as to both those cases, that the commissioners would stand before the country with an unblemished reputation.

Sir R. Wilson said, that the right hon. gentleman had introduced into his defence matters which were not contained in the report, and which therefore were not in the possession of the other members of the House. The commissioners, he contended, had been too careless in admitting evidence. One of the witnesses on whom they principally relied, had been dismissed from the County Fire Office, and taken into custody for bigamy, and had since fled on a charge of forgery. No engine of oppression could be more dangerous than commissions of inquiry, if they negligently or incautiously admitted evidence of this stamp, and afterwards circulated allegations founded upon it, which, under the sanction of their authority, assumed an important character. He had learned last night, for the first time, that it had been determined to institute an Exchequer prosecution against the County Fire Office. Still, the directors complained, and justly, that no opportunity had been given them to vindicate themselves from the attacks of the commission. They had asked in vain for the names of the parties who had given the false evidence against them; and they contended, with reason, that the commissioners, by refusing those names, gave countenance and protection to their calumniators.

The Attorney-General said, there had been an account current between government and the County Fire Office, and the directors would have an ample opportunity of trying the question of fraud on every policy, and on every ten-pence with which they would be charged by government. It would be his duty to support the information he had filed in the Exchequer; and therefore he should reserve for that court whatever information he possessed, that might affect individuals. He would not say that A, or B, or C, had been guilty of the fraud; but he would say broadly and distinctly, that fraud had been committed.

Mr. Curwen adverted to the hardship of keeping these charges suspended over the heads of the County Fire Office for two years, without either putting its assurers to the proof, or giving them an opportunity of vindicating themselves. From all that he had seen and heard, he thought the commissioners ought to have been more cautious in coming to any conclusion upon such suspicious evidence. He had authority for stating, that the County Fire Office courted inquiry; but he doubted whether, in the court of Exchequer, they could do themselves justice.

The Chancellor of the Exchequer thought it but justice to his right hon. friend and the other commissioners, to state his opinion that they had discharged, in a most impartial and unexceptionable manner, a duty of a most arduous nature. They were bound to inquire into the case, and to lay before the House, and ultimately before the public, the result of that inquiry; which certainly did tend to implicate the persons who presented this petition. Unless they had concealed from the Treasury, and from the public, the information which had been laid before them, they could not but have made the report which tended to implicate those individuals. Enough evidence had undoubtedly been laid before them to justify the opinion, that in the account current between the officers of the County Fire Office and the government, there was a debt due to the government. It was necessary to put that question in a fair course of trial, and he should be extremely glad, and so he was sure would his right hon. friend be, if the Fire Office should be able to remove the imputation which had been cast upon it. He hoped the object of the gentleman who presented this petition would be considered to have been fairly attained; and he presumed the hon. gentleman opposite would not feel himself called upon to take any further proceedings.
Mr. Husme maintained, that the complaint of the County Fire Office did not regard any matters of account between it and the government. What its members complained of was, that they had been charged with having systematically committed frauds upon the government. He must say, that the commissioners, in the course of their inquiry with regard to the County Fire Office, had more especially as it respected Mr. Sedgwick, been led away by some extraordinary influence, to the nature of which he was at a loss to account for. Mr. Barber Beaumont had offered to prove that a conspiracy existed among the discharged clerks, upon whose evidence the commissioners had acted; but the commissioners did not think proper to enter into an examination of the alleged conspiracy. Now, he contended, that it was their duty to ascertain whether such a conspiracy existed. The agents of the County Fire Office were charged with having for eighteen years defrauded the public of 2,000l. a year. Now, when three most honourable and impartial accountants had been appointed to examine their accounts, what was the result of their investigations? They found that the whole average amount of the sums claimed from the Stamp Office for fourteen years of that period, was only 18l. a year, and for the rest of the period in question, only 28l. So much for the charge of the office having defrauded the public of 2,000l. a year! And he had not the least doubt, that the new accusatory matter introduced that night by the right hon. gentleman was as unfounded as this charge.

The commissioners had accused Mr. Sedgwick of having connived at the returns made by the County Officers, for a series of years; when it turned out that Mr. Sedgwick knew nothing of these returns until within the last two or three years. He had formerly known Mr. Sedgwick, though he had not seen him for some years; but he believed him to be an honourable and an ill-used man; and, looking to the manner in which he had been removed from his office, after the exertions he had made to support the public revenue, he could not help thinking that he had been sacrificed to some party pique. This was the opinion which he had formed after an impartial examination of the correspondence which had been published on this subject.

Colonel Darier defended the conduct of the commissioners, and said he considered the removal of Mr. Sedgwick perfectly justifiable. He thought it too much, when gentlemen opposite had discharged their duty faithfully, that the only return they met with from the opposition side of the House should be indiscriminate censure.

Sir F. Burdett said, he thought it was not at all necessary for the House to consider the details of this question at the present moment. The petition was signed by one thousand seven hundred persons; and he trusted the time would shortly arrive when the House would institute an inquiry into the distinct charges made by the respectable individuals who signed it; but he thought the main question for the House to consider was, whether public commissioners, acting upon secret testimony and secret information, were justified in calumniating the character of a body of respectable individuals. Such conduct was contrary to the principles of Magna Charta; and though he was aware that it was the fashion for modern philosophers to laugh at the wisdom of our ancestors, he confessed, for his part, that he thought the few lines in Magna Charta which denounced such invasions of the constitutional rights of the subject worth all the real or pretended discoveries of these modern philosophers. The greatest injury that could be inflicted upon an Englishman was to deprive him of his vested inheritance of the laws of England; for Lord Coke had truly said, that an Englishman had a vested right not only in his goods and lands, but in the laws, and in the preservation of his character and reputation. The petitioners had been deprived of the rights to which they were entitled by the laws and constitution of the country. A stain had been cast upon their character; they had been morally assassinated; and they wanted to know who were the assassins who had stabbed them in the dark. They wished those assassins to be brought before a tribunal, where their misconduct might be made as clear as the noon-day sun. The House, he trusted, would never consent to screen those calumniators from justice, and to deprive honourable men, whose characters had been aspersed, of all constitutional means of redress.

The Solicitor-General wished to bring back the House to the question immediately before them; for he could not help
thinking that much extraneous matter had been introduced. The only point for the consideration of the House was, whether these commissioners had or had not exceeded the fair and rational bounds prescribed to the exercise of their duty, by bringing against the County Fire Office charges utterly false and unfounded, and which admitted of an easy and instant confirmation. The learned gentleman then entered into a short history of the transactions, and contended that, from the appearance which the affair presented, as well as from the reluctance manifested by the office to give information, there was quite sufficient in the evidence, to justify the views taken by the commissioners in their report. That report, he admitted, contained a great deal of bram amongst the flour; but, as men were called upon to pronounce upon what appeared before them in evidence, he did not think there was any man in the House who could have avoided coming to the same conclusion. He did not mean to say that opinion was right, or that a great commercial company like the County Fire Office could have thought it worth its while to have recourse to such paltry artifices for gains so small and contemptible. What he contended for was, that the commissioners, from the case presented to them, were bound to come to the conclusion expressed in their Report. Under these circumstances, and as the whole affair was in a course of investigation before a legal tribunal, he thought the wiser and better course would be to leave the parties to abide the event of that investigation.

Mr. Hobhouse observed, that after the discussion which the case had already undergone, and after the very able address of his honourable colleague, he did not intend to trouble the House at any length in reply. Happy would it have been for the petitioners, if their case had been submitted to the examination of the learned gentleman who spoke last. The wise and temperate tone in which he had expressed himself showed that their case would have been safe in his hands; and that, if a little of his spirit had been infused into the report, the petitioners would not then have been before the House, either complaining of injury or praying for redress. The plain and simple fact, however, was, that the petitioners found themselves charged with a series of frauds and speculations, from which they had no means of defending themselves. They contended, that the Exchequer would not nor could not produce the effect which they desired, and prayed the interference of the House. He had one observation to make with reference to what had fallen from an hon. colonel, upon the subject of the opposition side always opposing every proposition which came from the other side, merely because it was ministerial. Now, he begged to assure the hon. colonel, that that assertion was directly at variance with the course which had for some time been pursued. The sin of that part of the House for some time had been much more upon the side of praise than of blame. He believed, indeed, they had been, if anything, much too hastily in bestowing their approbation upon the gentlemen opposite. But he must say, in the words of the Eton Grammar, that he was now weary of such wedlock; and determined to do so no more, without seeing well-established ground for praise. The hon. gentleman concluded by contending, that it was evident, even from the remark of the Solicitor-general, with respect to the bran amongst the flour, that much of the report might have been spared, and that it had gone a great deal too far in speaking of the case of the petitioners.

Ordered to lie on the table.

Arrest for Debt upon Mesne Process.] Mr. Husse, in bringing under the notice of the House the subject of Arrest for Debt upon Mesne Process, observed, that, although he wished, by the bill which he was about to introduce, and which introduction he understood would not be opposed, to abolish altogether the right of arrest upon such process, yet he was willing to submit to whatever modifications or alterations the House might think fit to propose. The practice of arrest for debt was of modern origin. He believed, that in Magna Charta, there would be found a prohibition against such a vexatious remedy. The first particular notice of it which appeared on the Statute-book was to be found in the 11th and 12th of William and Mary, when it was enacted, that no process of that kind was to extend to Wales for a less sum than 20l.; an act which he believed still continued to be the law of the land. If it was his object to extend the benefit of that statute to England, the House might probably be induced to think that the sum of 20l. at that period,
might be well called equal to 50 or 60l. at the present day; but his object was to prevent altogether the remedy of arrest for debt upon mesne process. By the 12th of Geo. 1st, arrests had been limited to a sum above 10l., and afterwards extended by three separate acts to a sum under 15l. These acts expired in 1823; and he was happy to hear the Solicitor-general's notice for their renewal. They had done great good; and their renewal would prevent the evils which had been accumulating to a great extent, since the expiration of the law. By the returns on the table, he saw that there were no less than eight hundred persons in confinement for sums under 20l. The prisons, indeed, had been crowded with unfortunate debtors since the expiration of the act. His object was, to assimilate the practice of this country to that of Scotland, where the law of arresting upon mesne process was unknown, and where the whole number of imprisonments for debt, during the last year, amounted only to two hundred and eighteen. He was acquainted with an eminent solicitor in Edinburgh, who assured him, that, during an extensive practice of twenty-two years, he never had the necessity imposed upon him of arresting any individual for debt. If the House, on a late occasion, had consented to give him the committee he required, he would have undertaken to prove, that the most extensive misery was produced by the laws of arrest, that there was no advantage of such a description could take place, without the moment that the acceptor fails in taking it up, notice is given of an intention to enter up judgment as upon any other warrant; so that the whole expense of the intermediate process is saved, and judgment may be at once entered up. Another important point to notice was, that in Scotland no arrest, or sale of goods could take place, without regular notice. In England, the sheriff was able to put an execution in force at once, and plunge a whole family in ruin in the space of twenty-four hours; while in Scotland, no sale or process of that description could take place without fifteen days' notice. The advantage of such a protection in procuring a fair price for the property of the debtor, was too obvious to require comment. Another advantage to credit enjoyed in Scotland, was the wise precaution with which bills were discounted. Credit there was not given to any person, except he at least had a good appearance of being trustworthy. So carefully was this rule observed in Scotland by those who discounted bills, that he believed there was not more than 15s. lost on every thousand pounds discounted. To shew the extent of the evil of imprisonment by mesne process, he would state, that of one thousand eight hundred and twenty-one persons confined in the gaols of the metropolis, one thousand one hundred were imprisoned by mesne process; that was, without its being ascertained that they owed any debt at all. The law in this respect differed widely in Scotland and in England; and greatly to the disadvantage of England. In London, a man might retain his property, and defy his creditor, by going into the rules of the King's-bench. If he succeeded in abo-

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lishing mesne process, there were other parts of the law respecting debtor and creditor in which he contemplated further reformation and improvement. The hon. member concluded by moving, for leave to bring in a bill, “for the better prevention of frivolous and vexatious arrests for debt upon mesne process; and for recovery of debts accruing on deeds, bonds, bills of exchange, and promissory notes.”

The Attorney-General said, that the object of the motion of the hon. gentleman was, as he understood it, to substitute attachment, for arrest upon mesne process. That principle was certainly new in this country; and he begged leave to remind the hon. member, that in England there were many debtors whose property was not tangible by attachment, and that in most cases the attachment of property would be a task of considerable difficulty. He understood the hon. gentleman to wish that there should be introduced into bonds, promissory notes, and other securities of that description, an obligation upon the parties executing them, to submit to a verdict in case of non-payment within a stipulated period. If the object of the hon. member, by introducing such an obligation, were to diminish the number of persons confined for debt, he thought that clause, instead of effecting the object, would accelerate the imprisonment of the debtor; whilst it would deprive him of the opportunity of shewing in a court of law that he was not liable to pay the money for which he had prius facie, rendered himself liable. But, instead of opposing the introduction of the bill, he should content himself by saying, that when it should be introduced he would give it his most serious consideration.

Leave was given to bring in the bill.

HOUSE OF LORDS.

Wednesday, April 11.

CORN LAWS.] Lord King said, he had a petition to present to the House, which was very numerously signed, and which came from a part of the country which was at present extremely distressed—from Oldham, in the county of Lancaster. He was afraid that this petition could not meet with attention from their lordships, as it came from the lower orders, who, he knew, were in some quarters considered not very much worth attention. The petition came from persons greatly interested—the consumers of corn—and was to be delivered to an assembly very disinterested, and withal very enlightened. The petitioners prayed for a complete repeal of the Corn-laws, and hoped that their lordships would come to a determination to make the currency of the country a metallic one. In both those particulars he perfectly agreed with the petition. He believed that the paper system had been the cause of the distress which the country had experienced, and under which it was still suffering. There had been at one time to be found in this country, ministers so besotted, as to maintain that paper and gold, in value, were one and the same thing. They contended for transubstantiation. They said that the real presence of the gold existed in the pound-note, and to the thirty-nine articles had added that fortieth article of state faith. It was another supposition of another statesman, that if every person in the world went to bed over night and awoke in the morning, finding a guinea in his pocket, no person would be the better for it. It was, however, unfortunately the case, that the people always awoke in the morning and found nothing in their pockets, as the measures of their lordships had taken every farthing away from them. Their lordships thought that a paper system was a very good thing to keep up high prices and high taxes; but they found that high prices were not to be maintained, or high taxes to be paid, under a specie system; and the ministers, therefore, came in with a Corn-bill, which they thought would enable the landlords to pay with increased facility. The present petitioners complained of the attempt to make a privileged order in this country—an order privileged to tax the rest of the community solely for their own benefit. He did not know what to think of the folly of the nineteenth century, in which an attempt was made—when the example of the French Revolution was before the eyes of the world—to give new privileges and new rights to one certain class. The French noblesse had defended only old abuses and old rights; in this country new abuses and new rights were contended for. The French noblesse thought, and acted upon the opinion, that the lower orders were made for the sole purpose of being worked and taxed for the benefit of their betters; and the nobles and gentry of this country appeared to think, that the lower orders
were made only to starve for their advantage. But nobles, and he was apprehensive, princes also, were rather an indolent race, and had gained but very little in point of wisdom or knowledge, from the example of the French Revolution. The only country in Europe where corn was as dear as it was in this country was the country of King Ferdinand; and it was to be presumed that he too had his Corn-laws for the purpose of keeping up prices. Ferdinand was, indeed, "every inch a King:" and if, from any pressure of circumstances, he found it necessary to alter his administration and change his government, what did he do? Why, he naturally applied to the aliest Jesuit in his dominions, the keeper of his conscience, who advised him to make a government exactly upon the same principles as the old one was formed; so that the people never gained a single step. Ferdinand, it was said, was a very frivolous-minded king, very much pleased with petticoats and uniforms. He was, what cardinal Wolsey had said of his master, "truly royal-minded." He liked to indulge in his little resentments, and the keeper of his conscience liked to indulge in his little resentments also; so that between them, the country was suffering in order to continue the same person in the office of keeper of the conscience. He should now present the petition, which prayed for Reform in Parliament, Retrenchment in all Expenses, and a total Repeal of the Corn-laws.

HOUSE OF COMMONS.

Thursday, April 12.

OATHS IN COURTS OF JUSTICE—FORGED PETITION—ROBERT TAYLOR.] Mr. Hume said, he had a Petition to present from a gentleman of the name of Taylor, who called himself the President of the Christian Evidence Society, to which he wished to call the attention of the House. The House would recollect, that, on the 29th of November last, he had presented to it a petition, purporting to come from this individual, and praying that he might in future be sworn upon the works of nature. He had now to inform the House, that that petition was a forgery, which he had been deceived into presenting. A short time previous to the presentation of it he had received a note from Mr. Taylor, requesting him to present a petition on his behalf. He was, therefore, in expectation of receiving a petition from that gentleman; and on receiving the petition which he had formerly presented, he had never doubted that it was the petition which he had to present, and had presented it accordingly: Mr. Taylor now declared that petition to be a forgery, and on inspecting it had discovered that it was written in the same character with an hundred anonymous letters, with which he had been recently pestered. He also begged leave to say, that a letter which had appeared in "The Times," of the 26th of February last, purporting to be a letter from his brother, and reviling him in very gross terms was a forgery, which he believed to be perpetrated by the same person. The petition making this complaint would have been presented at an earlier period, had not the petitioner entertained some hopes that he should be able to discover the individual who had perpetrated this forgery. In case that individual should be discovered, the hon. member pledged himself to bring him before the bar of the House, to answer for his contempt of its privileges.

Ordered to lie on the table.

CHANGE OF THE MINISTRY.] Mr. Wynd moved that a new writ be issued for the borough of Newport, in consequence of the right hon. George Canning having accepted the office of First Lord Commissioner of the Treasury [loud cheers]. He also moved, "That the House, at its rising, do adjourn to Tuesday, the 1st of May."

Mr. Tierney said, that before this motion was disposed of—before the House was called on to adjourn for so long a period—he wished to put a question, of considerable importance, to the right hon. gentleman. He was anxious to ascertain, if possible, what progress had been made towards the formation of a new ministry? This question could not be considered premature, as it had been admitted, that forbearance enough had been shown with respect to this subject, when, a fortnight ago, he had made a similar inquiry. Now that the whole Administration, except one, as he was informed, had thrown up their situations, it was not a little extraordinary, that the members of the House of Commons should at once be required to give up their legislative functions, and to abandon their duties for three weeks, while they were left in ignorance as to the
House of Commons,

Progress that had been made in forming an efficient ministry. He did not wish to take any step that would interfere with the measures which might have been adopted for the purpose of effecting that object; it was not his intention to embarrass any arrangement that might be under consideration; but he must say, that it was extremely reasonable for him to ask what progress had been made in the formation of a ministry, before he agreed to the proposed adjournment. He thought, that if, instead of adjourning to Wednesday next, the new ministry might be formed in the mean time, and the necessary information could then be communicated to the House. He trusted that the House would not part with its whole powers, until they had received some decisive information on this subject.

Mr. Wynn apprehended that it was usual at that period of the year to move an adjournment for a few days. It had always been proposed as a matter of course, and had been always so received. Undoubtedly some difficulties had occurred in the formation of a ministry; but an arrangement was now in progress, and would certainly be completed before the period of adjournment had expired. He hoped the House would afford sufficient time for the completion of so important an object.

Mr. Tierney observed, that the time for forming an Administration was just two months old. This, in his opinion, and in the opinion of others, was too long a time. He understood that it was only within these few days that a right hon. gentleman had been intrusted with the formation of an Administration. But, instead of its being formed, it was reported, that seven members of the Cabinet had run away; for what purpose, or to forward what scheme or cabal, they best knew; and he was equally at a loss to conjecture in what shape, or at what time, they were likely to come back. He, however, must say, as a member of that House, that he should be guilty of betraying his trust, if he abandoned his duty, by agreeing to so long an adjournment, in the present situation of the Administration.

The gallery was about to be cleared for a division; but that intention was abandoned, and the motion agreed to.

Corn Duties Bill. On the order of the day for the third reading of this bill,

Mr. F. Palmer said, it was a matter of great satisfaction to him, that on the first occasion of his voting in the present parliament, he was able to give his conscientious support to the measure proposed by ministers. He believed that the bill before the House had been framed upon principles of strict impartiality; and he was inclined to put faith in the correctness of that opinion, when he saw that the measure was alike condemned by the two great interests of the country; namely, the agriculturists and the manufacturers. The agriculturists said that the maximum price fixed by the bill was hardly sufficient to enable them to meet the charges of rent and taxes, and, above all, the constantly increasing burthen of the poor-rates; whilst the manufacturers, on the other hand, complained, that the measure afforded too great a protection to the agricultural interest. He was of opinion that the effect of the bill would be to produce low prices, and the natural consequence of that would be the reduction of taxation—a measure to which he looked forward with great satisfaction. He trusted that this would not be the only occasion in which he should be able to vote for the measures of ministers; but that he should feel it his duty, frequently to support their policy.

Mr. Warburton said, that the bill would afford no substantial relief to the country. Our manufacturers would still be obliged to pay for their bread double the price which was paid on the continent.

Mr. Leicester expressed his apprehension, that large importations would be made from Canada.

Mr. C. Grant said, that past experience had proved that no extensive importations could be made from Canada, to any profitable purpose, so far as the importers were concerned.

The bill was then read a third time, and passed.

House of Commons.

Tuesday, May 1.

The House met pursuant to adjournment, the recent changes in the Administration had excited the liveliest curiosity; and the avenues to the House of Commons were crowded, at an early hour, by persons whose anxiety to see the new
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Sir John Newport, lord birds bourn took up their stations on the second Opposition bench, and Mr. Hume produced compelled to retire from the accommodation below, resorted to the galleries.

To these were added several peers, and reverend prelates, whose curiosity had induced them to be present at this opening act of the New Administration. The bishops of Bath and Wells, and of Lichfield and Coventry, sat in the right-hand gallery, and near them the duke of Norfolk, the earl Fitzwilliam, and lord Seaford; while in the opposite gallery were observed the marquisses of Aylesbury and Sligo; the earls Cowper, Hardwicke, Darley, Carnarvon, and Roden; and lords Bexley, Farnham and Ravensworth.

About five o'clock, Mr. Canning entered, and took the seat which he has usually occupied. Immediately behind him, sat sir Francis Burdett and Mr. Tierney. Mr. Brougham walked up the Ministerial side, and took his seat on the third bench of that side. Near him sat Mr. Calcraft, sir John Newport, lord Stanley, sir Robert Wilson, and Mr. Spring Rice. Mr. Hobhouse retained his seat on the second Opposition bench, and Mr. Hume remained firm in that which he has generally occupied. Mr. Peel and Mr. Goulbourn took up their stations on the second row of seats, between the Treasury-bench and the Bar.

New Administration—Mr. Peel's Exposition.] On the motion, "That a new writ be issued for Ashburton, in the room of the right hon. William Sturges Bourne, who has accepted the office of Secretary of State for the Home Department," Mr. Peel rose, and addressed the House to the following effect:—

Sir; as the motion that has just been made is immediately connected with the accession of a right hon. gentleman to an office which I recently held, I trust the House will not think I am preferring an unreasonable request if I entreat them to allow me to offer some explanation as to the grounds on which I thought myself compelled to retire from the service of his Majesty. I know very well how much of personal matter must necessarily be mixed up with an explanation of this kind; but as I have so frequently, under other circumstances, experienced the kind consideration and indulgence of the House, I should be much disappointed if I should be deceived in the expectation that they will continue that indulgence, and will allow me to take this opportunity of fully explaining the reasons of my conduct. In that expectation I have abstained from resorting to any other mode of making public the motives which have influenced me in the course I have adopted.

It is now about three weeks since I virtually resigned the seals of the office of Secretary of State for the Home Department. During that interval, my silence may have subjected me to doubtful and even mischievous constructions; but I have waited patiently until this moment, supported by the consciousness of having acted solely upon public grounds, and of having only taken that course which was consistent with my duty, and with what was due to my own character.

The explanation which I wish to offer is due not only to myself individually, but to the character of the class to which I belong—I mean the class of public men—and during the delay that has taken place, I have been supported by the hope, that at this moment, and in this place, an opportunity would be afforded me; and I felt the strongest confidence that the House would allow me to take advantage of this opportunity to make it.

Under the delay which has taken place, I have been supported by the hope, too, that I should be able to vindicate myself from the unfavourable constructions that might have been put upon my conduct in consequence of my silence, and to show that the course which I had pursued was that which the necessity of my situation absolutely required. I say, Sir, "vindicate the course I have pursued," because I do aver, that I think public men, who are embarked in the public service, have no right, upon light and insufficient grounds; to sever their connexion with the state, and to withdraw from that service into which they have entered.

If, Sir, I had acted in consequence of levity, of disappointed ambition, of personal pique, or opposition towards a rival, I should feel that I was, though not constitutionally, yet morally responsible; and that I should have shown by such conduct I was unworthy of the confidence with which my Sovereign had honoured me. But, Sir, I acted from none of those motives; they did not form the ground...
on which I retired from the public service. I acted solely upon principles which I had frequently professed, and which I considered to form part of my public character.

For a space of eighteen years I have pursued one undeviating course of conduct, offering, during the whole of that time, an uncompromising, but a temperate, a fair, and, as I believe, a constitutional resistance to the making of any further concessions to the Roman Catholics. During fourteen out of those eighteen years, I have held office; and during eleven of those fourteen years I have been closely connected in office with that country most interested in the decision of those claims. The opinions which I held during that time I still retain; and I thought, from having always avowed those opinions, but, above all, from having, while in office, taken an active, and I may, perhaps, say, important part against the claims of the Catholics, that I could not remain in office after events had rendered it probable that I should be the single minister of the Crown who was likely to continue opposed to them.

I say, Sir, under these circumstances, I did not feel that it would be consistent with the career I had hitherto pursued, and with the maintenance of my own character as a public man, to acquiesce in arrangements which would benefit myself by enabling me to retain office, which, however, I could not do without acting in a manner calculated materially to promote the successful termination of a question to which, under other circumstances, and in other aspects of political affairs, I had offered the most decided resistance. Under these circumstances, and with respect to the nature of the opposition which I had always offered to the proposed concessions to the Roman Catholics, I felt myself bound to act as I have done.

Sir, the nature of that opposition was such as to allow of no middle course; it was founded upon the belief which I have always sincerely entertained, that the removal of those barriers, which the law opposed to the attainment of political power by the Roman Catholics, was inconsistent with the maintenance of the constitution, and with the welfare and safety of the church.

These being the grounds on which I have always spoken and acted, I say, Sir, that I am now in the judgment of the House and of the country, whether I had not sufficient reason to decline acquiescing in arrangements which were calculated most decidedly to promote that object to which I had always been opposed.

The circumstances to which I have referred I considered seriously; and having done so, I made up my mind to retire from office, if my right hon. friend, whose opinions on this subject were so decidedly opposed to my own, should be placed at the head of the Administration, where he could with more effect than ever support those opinions. If my own had been doubtful, my duty might not have required my resignation; but they were not, and my rigid sense of public duty has determined my course.

If even the Administration could have remained in the same state as before—if it could have continued exactly neutral upon this question—I might have continued in office; but when I saw that exact neutrality could not be expected—when I found that the duke of York was no more, and that the voice of the earl of Liverpool had become silent, I thought I had a right to act, and, indeed, that I ought to act upon the conviction of my own mind, and not subject myself to suspicions by seeming to have been converted to opposite opinions, especially when the period of that apparent conversion would have concurred precisely with that of the change of Administration. I therefore determined to sacrifice office, rather than abandon that course which I had previously pursued for so long a time, and which I had continued while in possession of the office which I lately held.

The next question upon which I wish to say a few words is, whether the appointment of my right hon. friend to be at the head of the Administration, and to occupy that place which was recently filled by the earl of Liverpool, would not almost necessarily bring along with it the final success of the Catholic question?

It is due to my right hon. friend to say, and I give him full credit for it,—that I believe him to be actuated by the utmost honesty, sincerity, and zeal, in his efforts for the promotion of the success of that question. I judge him in the same manner as I wish to be judged myself—by the uniform course he has pursued, by the public declarations he has so frequently made, and by the earnestness he has always manifested on this subject. I am
perfectly satisfied, I say, with his honesty, sincerity, and zeal; and I declare that it will be as much his duty, as I believe it always was his intention, if he should be placed at the head of the Administration, to promote, by every fair means, if not the immediate, at least the ultimate, success of the Catholic question.

Feeling so, I thought it was my duty to retire. I thought so, not merely because my right hon. friend differed from myself in opinion upon the merits of the Catholic question, but because the change consequent upon his appointment was such, that there could not be anything less than a complete transfer of all the influence and power which belong (and I think properly) to the office of prime minister, from the opponents to the advocates of concessions to the Catholics. That transfer, Sir, was not a transfer of influence and power from one ordinary man to another ordinary man, but from the most powerful opponent of the Catholic claims to their most powerful advocate. Under these circumstances, and with reference to that question, I thought it would be impossible to conduct the government upon those principles on which it had been carried on under the earl of Liverpool; and the consequence was, that I prepared to act upon that resolution, which, from the delay that has taken place upon lord Liverpool's illness, I had had a full opportunity of considering, and which I had maturely deliberated. I had marked throughout, the splendid career which my right hon. friend had pursued with regard to the Catholic question, and each hour of my deliberation confirmed the opinion I had formed, that he would employ the influence of his new office to promote the success of that question which he had always so warmly advocated.

I found that from the very first period when the restrictions imposed by the Regency bill upon his present majesty terminated, up to the month of March last, when the hon. baronet, the member for Westminster, brought forward his motion regarding the Catholics, he had pursued the same active and undeviating course in promotion of the Catholic question, which I (though not with the same ability and power) pursued in opposition to it. In the year 1812, after Mr. Grattan had introduced his motion for the immediate consideration of the Roman Catholic claims, which motion was negatived, my right hon. friend was not satisfied with that negative, but brought forward another motion to the same effect as Mr. Grattan's; alleging, as his reason for doing so, that circumstances had been changed, as the restrictions on the Regency had then expired. That motion went to pledge the House to take the state of the Catholics into immediate consideration on the commencement of the next session, and it was adopted by the House.

Now, Sir, I ask, what is there to prevent my right hon. friend, if he thought the course he then pursued was prudent and reasonable, and would be so at this moment. I say, what is to prevent him from pursuing the same course in 1827, which he adopted in 1812? In that year, Mr. Grattan's motion was negatived by a majority of forty; but my right hon. friend, not at all dispirited by that defeat, introduced a motion to the same effect, but in a different shape, pledging the House to a consideration of the question in the following session. One discussion has already taken place this session upon this question, on the motion of the hon. member for Westminster. That motion has been negatived; but the circumstances being pretty nearly the same, I see no ground on which my right hon. friend should feel himself debarred from now pursuing the same course which he adopted on the rejection of Mr. Grattan's motion. If I had continued in office, I could never have thought of proposing to my right hon. friend, that he should pledge himself not to adopt that course, though even if I had been by any chance induced to do so, I am sure, from the course he has always pursued, and from my conviction of the honesty and integrity of his conduct upon this question, he would at once have refused to give such a pledge. I say, therefore, that I was justified in accounting it at least possible, if not probable, that in this very session, a motion might be introduced by my right hon. friend upon the subject of the Catholic claims, and that I might, in this session or the next, be called on, as a member of the government, to acquiesce in a measure introduced by my right hon. friend, which, when it was introduced by the hon. member for Westminster, I had positively rejected. During the whole period from the year 1812 to the year 1827, my right hon. friend has, on every occasion, preserved his consistency upon this point; and in the declaration of
his opinions, in his professions, and in his acts, has uniformly given to the claims of
the Catholics his most decided, powerful, and effectual support. Not only has he
supported them when the question has been brought forward by others, but he
has himself originated motions for con-
ceding at least a portion of the claims de-
demanded by the Roman Catholics; motions,
however, that, though limited in the ex-
tent of their immediate operation, yet in-
volved principles which, if he thought
good for a part, he must, by necessary
consequence, have considered good for the
whole.

In the year 1822, my right hon. friend
introduced a motion for the admission of
Roman Catholic peers to seats in parlia-
ment. That motion I felt it to be my
duty to oppose. Now, I will suppose my
right hon. friend, invested with all the
influence and power of the first situation
in the Ministry, again to bring forward
that motion at the present time, and I
ask whether I could acquiesce in the possession
of office, connected as that possession must
be with an acquiescence in the admission of
that which I have before opposed, and
which would involve the decision of every
principle that I have formerly supported?
Could I afterwards stand up in the face
of the country, and allow it to be said,
that I had acquiesced in permitting the
first Minister of his Majesty to carry into
effect, without opposition, that which I
had always opposed when it was introduced
by any other person?

Sir, I allude thus to what I think my
right hon. friend will do, not in the way
of complaint—not with the view of re-
monstrance—that he should employ the
influence of the new dignity that he has
acquired, in the attainment of the object
for which he has so long and so ably
laboured; but, because I thought it ne-
necessary to vindicate myself, and deemed
it essential for the maintenance of my own
character, that I should state the whole
truth, and explain exactly the nature of
those reasons which induced me to adopt
the proceeding of retiring from office.

I say, Sir, what security have I that my
right hon. friend will not renew the motion
which he brought forward in 1822,
and which, if successful, would compel
me to yield to a measure that I then op-
posed? His language upon that occasion
was so strongly expressive of his opinions
of the necessity of that measure, that I
cannot avoid quoting it. He said at the
conclusion of his speech—"I solemnly
declare to the House, that I would not
have brought this question forward, had I
not felt assured, that the reparation which
I ask on behalf of the Catholic peers is, in
the name of policy, as expedient as in the
name of humanity it is charitable, and in
the name of God, just." I say, Sir, if
that be a true description of my right hon.
friend's opinion—if he now believes, as he
then stated, that the claims of the Catho-
lics are in policy expedient, in humanity
charitable, and, above all, in the name of
God, just—with my confidence in his sin-
cerity, how could I doubt, that, placed in
the situation which he now fills, had I re-
mained in office, I should have been called
on, and that very shortly, to adopt the al-
terative of either acquiescing in a motion
not now for the first time brought forward,
or of opposing myself to the strength of
the government? and that acquiescence
could not have been yielded by me without
involving the whole of those principles
which I have hitherto endeavoured to
maintain. Sir, that such a motion as that
which I have supposed, would involve the
whole principle of the Catholic question,
I may assert upon the authority of my
right hon. friend himself, who said, that he
could not conclude his speech on that
motion, without admitting that the partial
success which he was then attempting to
obtain for the Catholics, would, he hoped,
ultimately lead to the attainment of the
great object they had then in view. Now,
Sir, it would not be my part to acquiesce
in the attainment of such an object; and
if I had remained in office, it would not
have been in my power to prevent any,
even partial concessions, which might be
introduced into parliament by the first
minister of the Crown—by that individu-
als who is honoured with the chief confidence
of his sovereign; who is mainly responsi-
ble for the acts of the administration; and
who is first in influence and authority in
the Cabinet. I could not, I say, have ac-
quiesced in granting to the Catholics the
whole of what they claim, nor in any
partial concession of the nature to which
I have alluded, attended, as it must have
been, with such consequences as my right
hon. friend himself at that time predicted.
I should therefore have held office only on
sufferance; liable to be called on at the
notice of a week to retire from the public
service; and that, too, perhaps, at a time
infiniely more inconvenient for the public than at which I actually did resign the department that had been intrusted to me. Could I doubt—especially after the example set me by my right hon. friend himself—the propriety of the course which, in my own opinion, circumstances had rendered necessary; always remembering the prominent line of conduct I had adopted upon the Catholic question, and anticipating, as I say I had a right to do, what would be the course that my right hon. friend would pursue, if he should be placed at the head of the administration?

I speak, Sir, of his example; because I think that, at this day, am placed in circumstances very nearly similar to those in which he was placed in 1812, when he was asked to form part of an administration which was to be neutral on this very question, every member of it being at liberty to speak and to vote as it might seem best to him to do. When that proposition was made to my right hon. friend, he stated that he could not give his consent to act as a single minister upon a question in which all the weight, influence, and authority of the Prime Minister would be against him.

After that example, and after the opinion then expressed by the very minister who now possesses the situation of chief adviser of the Crown, I say, Sir, that I could not have retained office, and then be complained—if that speech had ever been made against me—for submitting to be the Secretary of the State for the Home Department, in an administration in which I should have stood alone opposed to my right hon. friend who was at its head.

The speech to which I have alluded was delivered by my right hon. friend, when Mr. Stuart Wortley, on the 21st of May, 1812, brought forward his motion for the formation of a new and efficient administration. In that administration the Catholic question was proposed to be left open, and both the present lord Wharncliffe and the noble Secretary at War voted in favour of the motion which my right hon. friend afterwards brought forward, and which was carried by a large majority. That majority amounted to 199. I voted on that occasion in the minority; it was a small minority; and though the Protestant cause was not then supported by the same numbers as had supported it when Mr. Grattan's motion was brought forward, yet I at least preserved a consistent course.

On the occasion of Mr. Stuart Wortley's motion, my right hon. friend assumed grounds for declining to form part of the administration, which I consider so nearly similar to those on which I have now retired from the public service, that I think I cannot do better than state them; and I beg therefore to make use of them, not only as applying particularly to my own situation, but as conveying, in better language than my own, the description of the grounds on which I have thought myself called upon to secede:—"I have been asked whether, supposing I had accepted the offer that was made to me, I should not have felt myself at perfect liberty to act as my own opinions should dictate, upon the great question which constitutes the main bar of separation. I reply that, as a minister, I know I should have been at liberty. I do not mean to assert, that if I had joined the present administration to fight against my own principles under the banners of the noble lord, I should not still have had the power of making my solitary speech, and of giving my solitary vote in support of opinions I had previously maintained; I will not even say that there may not be honourable minds who would be satisfied with such a distinction, and it may be my misfortune or my fault that mine is not a mind of that construction. If, when out of office, I should then feel that I deemed just, my influence and my authority, I never can consent to accept office under the condition that I shall instantly divest myself of that influence and authority, which ought still to be my companions, and to leave them on one great and vital question, in open and wilful abeyance."

The justice of these sentiments no man can deny, and all must admire; and I believe my right hon. friends, like myself, were fully satisfied of their sincerity. He will now use, and no man can reasonably blame him for using, the influence and authority of the station he now fills, for the purpose of carrying that cause he has so long advocated in vain, and which out of office he declared to be just.

Almost every word then uttered by my right hon. friend upon this point applies exactly to my case. A little further on he observes, "Personal objections to the noble lord I declare I have none."—So I,
in my turn, assert, from the bottom of my heart, that I have no personal objections to my right hon. friend. I, on this occasion, like my right hon. friend on that, "am actuated by no feeling of rivalry," and willingly acquiesced in the retention of his services, when he was about to sail for India.

In attending his majesty to Scotland, I closed my lips on the subject; and on the first day after my return to London, I waited on my noble friend at the head of the government, and said, that if his majesty, or my colleagues, deemed it of importance that my right hon. friend should hold the situations he has since filled, difficulties I would make none. That question, therefore, I decided four years ago, and I repeat in his words, that I have been "actuated by no feeling of rivalry; and with this particular question excepted, I could have no earthly hesitation either in acting with or under him." I too cannot allow "the predominance of his opinion to stifle mine," and on entering the Cabinet under such circumstances, I cannot pretend not to know that his "influence and authority" will be such as to paralyse all my feeble efforts in opposition to the object of his wishes. If I accepted office under him, let it be remembered that I must accept it with full notice of what were his views of the duties of a prime minister, invested with the influence and authority he will enjoy. In the course I have pursued, then, I have only acted in accordance with his example—an example I honour, and an example that ought to be set or followed by every public man.

In the course of the same speech, my right hon. friend made some remarks upon the varieties of opinion entertained in the Cabinet. "But indeed," he added, "it is unfair to impute to the Cabinet any opinion, because collectively it has none; and the retrospective influence upon my mind was, that if I had joined this kurtus siccus of dissent, as Mr. Burke once termed it, we should have formed as beautiful a variety as was ever assembled in so small a collection. But, amidst such unprecedented differences, on which side is the influence and authority of government enlisted? That is the main question. This man may hold a blue opinion, another a white, a third a green, a fourth a yellow, and a fifth a red; but, with which of these shades does the sentiment of government most nearly accord? Undoubtedly, this point will be decided by the individual, who, holding the principal office, pre-eminentiy enjoys the confidence of the occupant of the Throne, and the additional weight he adds to the scale must overbalance the remainder." I hope, also, that I may add, in the words of my right hon. friend, still in perfect accordance with my own sentiments, that "I could not feel that I entered the Cabinet with honour, if I consented to give there a mere barren, solitary vote. I trust, although not very fairly put upon my trial, that my conduct is completely justified in the eyes of the House and of the country."

After the opinions I have avowed, and after the course I have taken for many years, I fairly own that there would have been no inconsiderable difficulties in the way of my accepting office under my right hon. friend; but the peculiarity of my situation depends not merely upon the opinions I have avowed, not merely on the nature of the resistance I have offered to the Catholic claims, not merely on the prominence of the part I have taken on that question, but on the fact, that for the last eleven or twelve years I have held two situations intermixing me with the administration of every Irish question: on me has devolved the whole responsibility, whether as chief Secretary for Ireland, or as Secretary of State for the Home Department. The relation in which I stood to the Prime Minister, from the nature of the office I lately held, I knew presented what I may venture to term an insuperable difficulty. Being now in the ranks of private life, and under no restraint of official reserve, I must fairly state that, for a long period, I only have been considered responsible for the affairs of Ireland. I was the only minister of the Crown, in this House, who took the view I entertained of the Catholic question; and I have been thus placed in a situation, not only of difficulty and embarrassment, but in a situation, in which, let me say, no minister ought to be placed.

In the beginning of the year 1822—(a distinction certainly unsought and unsolicited on my part)—I was appointed Secretary of State for the Home Department, with full notice, I admit, of the difficulties I might thereafter have to combat. If I retained office, it was not from
ferred against me, that I look upon my late coadjutors now in a different light to that in which I formerly contemplated them.

The esteem, respect, and admiration, which I felt for them as my colleagues in office, I still retain to its fullest extent, and I am far from wishing that my case should be separated from theirs. I am at this moment prepared, if necessary, to vindicate them from the charge of concert and cabal. I am prepared to vindicate them collectively and individually, and to maintain, that the course pursued by each of them was not only perfectly justifiable, but that their impressions and views of duty to the public service, and the conduct produced by those impressions and views, ought to be held up as an example to all who may hereafter be placed in similar circumstances. I declare, then, that the charge against these ministers, or any of them, that they acted by concert and cabal, is not the truth, but directly the reverse of the truth. If there be any appearance of concert in the steps they have taken, it is because, in point of fact, there was no concert at all. Their course was accidentally coincident: and if they had been base enough to cabal against their sovereign, they would probably have been cunning enough to take care to avoid a discovery.

Although, by command of his majesty, I did communicate to one of my colleagues the course I felt bound to pursue, yet I never did inquire, and did not know, what steps that colleague himself would take. I did not know the steps that any of them would take; but I certainly did state, that if the government could be reconstructed, if the rest of my colleagues remained in office, and if I could, reserve to myself full discretion on the Catholic question, I thought, without giving any specific pledge, I could give them general support. But I never communicated, for instance, with the lord Chancellor: I never opened my lips until the 9th of April, when the order was given for the formation of a new administration. I never knew the course he meant to pursue; and, upon my honour, I believe that the same may be said of every member of the late government who thought it right to retire. They carried their delicacy and reserve to such an extent, that I do not believe that any one man was acquainted with the course which the other meant to adopt.

As to dictation, also, I declare that the charge is not only untrue, but directly the reverse of the truth. There was no attempt to dictate to his majesty by any one of the late ministers. I can assert it with respect to myself, with respect to the lord Chancellor, and with respect to that illustrious individual whose name is stamped for ever on the records of immortality—that man who is not more remarkable for the brilliancy of his military exploits, than for the simplicity and singleness of his nature—that man whose candour and openness are habitual; and who is distinguished not only for the respect he bears to the kingy of office, but, above all, for the devotion and attachment which he feels for the person of the sovereign. When I see it charged, after the services he has rendered his country, that for the base purpose of office he has acted in a way so unworthy, the accusation seems so shameful in its injustice, and so revolting in its ingratitude, that I can scarcely trust myself to speak of it. I say that I am prepared, were it necessary, to vindicate him and others from the foul aspersions cast upon them, connected with their retirement; but I abstain from the undertaking, chiefly because it is not required at my hands, and because elsewhere they may take an opportunity, if they think fit, of meeting and repelling the imputation.

I have now, I believe, nearly completed the task imposed upon me by circumstances; and I feel deeply the obligation conferred on me by the attentive indulgence of the House. It is a matter involving something of public principle, but much more of personal interest: and I cannot conclude a statement of such length, of the grounds on which I am compelled to retire from office, without expressing deep regret at my separation from one with whom I have formerly acted with so much cordiality. That regret is nevertheless mitigated by the reflection, that I did every thing becoming my character to prevent that separation. Personally, too, I may lament that I shall not continue possessed of the opportunities which my office afforded me of making those changes, and introducing those improvements, from the adoption of which only I hoped for distinction and reward.

I cannot but feel concern that the confidence of my sovereign is withdrawn, and the change is the more painful from the uniform kindness and gracious consideration with which he formerly contemplated my labours, and my solicitude for the public
welfare. I have the satisfaction of reflecting, that every institution, civil and military, connected with my office, during the last five years, has been subjected to close inspection and strict review; and that I have been able to make such temperate and gradual reforms, as I thought were consistent with the general and permanent good. I have also the gratification of knowing that every law found in the Statute-book when I entered office, which imposed any temporary, or any extraordinary restriction on the liberty of the subject, has either been repealed, or allowed to expire. I may be a Tory—I may be an illiberal—but the fact is undeniable, that when I first entered upon the duties of the Home Department, there were laws in existence which imposed upon the subjects of this realm unusual and extraordinary restrictions: the fact is undeniable, that those laws have been effaced. Tory as I am, I have the further satisfaction of knowing, that there is not a single law connected with my name, which has not had for its object some mitigation of the severity of the criminal law; some prevention of abuse in the exercise of it; or some security for its impartial administration. I may also recollect with pleasure, that during the severest trials to which the manufacturing interests have ever been exposed, during the winter of the last two years, I have preserved internal tranquillity, without applying to the House for measures of extraordinary severity. I hope it will not be considered unbecoming if I allude further to the satisfaction I derive from reflecting upon my exertions in favour of the just prerogatives of the Crown.

For all the ancient institutions of my country I have felt a natural prepossession, and an earnest desire that they should preserve that veneration which has promoted their continuance; but those prepossessions have not prevented me from inquiring into cases of alleged abuse, and that desire has urged me in a friendly and temperate spirit, to examine to what degree corruption may have intruded. Where change and restoration were deemed necessary, they have been applied, thus recommending those ancient institutions to the long-enduring attachment and veneration of the country. I again thank the House for the opportunity it has afforded me of giving this explanation, and I shall conclude by assuring it that the confidence of my sovereign, the good-will of his people, and the approbation of parliament, have been at once the motive, and the reward of my exertions.

Mr. Duncombe said, he was aware that he might incur some imputation by offering himself to the House at that moment, but he was anxious to take the earliest opportunity of stating what he believed to be the decided opinion of the great majority of those whom he represented, and of the country at large; namely, that the secession of the right hon. gentleman was a matter to be most deeply and sincerely regretted. As far as he and many others were concerned, the lengthened explanation of the right hon. gentleman was quite unnecessary. The right hon. gentleman wanted no justification for the honest and manly course he had adopted. He would not attempt to describe that masterly effort, but he would only say that it maintained, in all respects, the high character the right hon. gentleman enjoyed from one end of the kingdom to the other, as an eloquent, an honest, and a conscientious minister of the Crown—a valuable and faithful representative of the people—a zealous and active promoter of all that was useful and beneficial—and a watchful and uncompromising guardian of the principles of the British constitution. In the full enjoyment of the confidence and love of the country, the right hon. gentleman had retired from the situation he had so long and so ably filled; but he must take the liberty of expressing his earnest hope, that the retirement would be short, and the return permanent. While out of office, he humbly trusted that the right hon. gentleman would enjoy all the luxury of private life, in the bosom of his affectionate family, and in the circle of his admiring friends. Since he had had the honour of a seat in that House, he had given his decided and unqualified opposition to the Catholic question, and his support to his majesty's government. The right hon. premier (Mr. Canning) had ever supported that question, and it would be but just in that right hon. gentleman to give it now a more decided support; and that course it was to be expected the right hon. gentleman would pursue, as it was understood he had received the aid of those gentlemen who now sat beside him, without any compromise, on their part, relative to that question.

Sir Francis Burdett rose from his seat behind Mr. Canning, amidst loud cheering, and, after stating that he should not
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take up the time of the House more than five minutes, he proceeded. The speech of the late right hon. Secretary of State for the Home Department, so candid in its statements, and so honourable to himself, has been heard by me with as much satisfaction as by the hon. gentleman who has just sat down. I might even say with more satisfaction, for not a word has been uttered by the right hon. gentleman in the course of his address, that renders it necessary for me to say any thing on the course he is about to take; but I must say, that, having arrived at a great public principle to which I have been most warmly attached; a principle of religious freedom, which I think the true principle of the English constitution; a principle, which I think not only sanctioned by God, not only the right of nature, but a rational as well as a natural right, and a principle which at present predominates throughout the whole civilized world, with very trifling exceptions, and in England alone is not countenanced; but which, I am persuaded, is the only principle that is calculated to give it happiness. Upon that ground, the same reasons which make the right hon. gentleman feel it incumbent on him, with his views, to withdraw his support from his majesty's government, make me feel it equally incumbent on me to give it every support in my power. I support the administration as at present formed, because it affords the best opportunity that I have ever yet met with of promoting that great cause for which I have been, ever since the commencement of my public life, most eagerly struggling—the cause of civil and religious freedom—which has been, with the progress of knowledge and civilization, spreading over almost all nations having any pretensions to the name of civilized; the British empire, strange to tell, alone excepted. The period has at length arrived when an administration, in promoting the best interests of mankind, has not even the trouble to direct public opinion—it has only to follow it; and trusting that here, at length, we have an administration that will follow the march of the age, I have resolved to give it my humble support, for the same reasons of public principle which have induced the right hon. gentleman to abandon it. Upon the same grounds of a great public principle which have led the right hon. gentleman to withdraw from office, do I give my support to the administration, as at present con-stituted; not entirely, perhaps, upon the foundations of a complete concurrence upon abstract principles, but as the best opportunity that I ever enjoyed in my life of doing something practically to promote the most important—beyond all measure the most important—interests of the nation. I do not propose at present to debate the Catholic question; nor do I mean to allude to that question particularly, as connected with the formation of the present cabinet; but, I must observe, the opinion of the public will be, that there are now stronger hopes of a conclusion to the differences that have created so much division, which ought never to be suffered to exist in any civilized country. A dawn of hope now opens for those who have struggled to promote harmony, and peace, and knowledge, and, consequently, religious and moral improvement in that benighted country, Ireland. This opinion will, in the mean time, do much towards tranquillizing it. I give the right hon. gentleman credit for the integrity of his motives; and I am sorry that he should have found himself compelled, by his principles, to abandon his office. By his retaining that office, he would, no doubt, have more influence in promoting those minor ameliorations to which his attention had been so usefully directed. But, I hope, that although he has quitted office, he does not mean on that account to discontinue his exertions for carrying into effect the improvements which he contemplated when in office. That course of conduct the right hon. gentleman has still in his power to pursue, and his labours in that respect will still be most useful to the country. Doing this justice to the right hon. gentleman; hearing also, with some little surprise, that the principle I allude to has been the sole principle on which the divisions in his majesty's government had taken place; bearing that his colleagues, one and all, have acted on the same honourable principle as himself, and willing to give him every credit for his statement, and therefore admitting that neither he nor they are liable to reproach (and I am sure I am the last person to seek for an opportunity of casting unjustifiable reproach), I must say, that whatever the principle on which they acted may be, I think their retirement a most fortunate event for the country; for, by that event, a great obstacle, as I conceive, has been removed to the adoption of measures,
particularly with respect to Ireland, which the circumstances of the country render absolutely necessary—things being in a state in which it was impossible that they should long continue. The truth is, that enlightened principles are on their march. They cannot be arrested, but they may, by wisdom, be directed, and not only prevented from producing mischief, but turned to a good public account. These are the grounds on which I take my stand on the present occasion. I think that those who form the government, giving up the support they formerly derived, on such grounds, have a claim on us, who have been advocating principles of the same kind, to have that support made up to them, that they may have an opportunity of carrying into beneficial effect the principles to which they are attached. It is on these grounds that I am anxious to give every support to the present arrangement. I will say, as a practical man, that I do not think it common sense to omit the opportunity of advancing a particular object, because there are principles of an abstract nature on which you are at issue; or that because certain measures cannot be acted upon to their full extent, you will refuse all support to every practical adoption of those measures. I will say, moreover, that it appears to me, that this is not only the best hope the country has, but the only hope the country has, for a change of policy which the enlightened mind of the country, and the state of the times equally demand. The state of the country requires all the ability, and all the concurrence of principle as well as of ability, that can be collected; for, in whatever light you view it, whether you look at its domestic relations, particularly to the state of Ireland, or to its foreign or colonial situation, to its policy within or without, it seems to me to be in a situation to demand all the ability, and all the enlightened public principle that can be pressed into its service. The surest way to effect that desirable object is, by the formation of an administration, not splitting on every great question of state policy, but one united on all the grand principles of good government, and in their desire and determination to remove abuses that have too long existed. In taking this decisive step I have followed the course dictated by the best exertion of my judgment, and come to a resolution to support the king in the exercise of a constitutional prerogative—the power of selecting for his prime minister that person whom he considers the most fit and competent to execute the great measures of public utility which an administration ought to have in view. Who is there that would divest the king of that high prerogative—almost the only act of practical authority which the constitution requires his majesty to exercise in person—the appointment of the principal servant in the royal councils. But the right hon. gentleman seeing, in that exercise of his majesty's prerogative, indications of an intended course of policy to which his own sentiments are adverse, tells us that he has a right to retire, for that reason, from any share in the new government. Doubtless, the right hon. gentleman has a right to do so; and, on the same principle, I and my friends, who have made that question a sine qua non, are justified in giving our support to the present administration now, when that question is supported by the public voice, as we did five years ago, when it was overpowered by the clamours of bigotry—influenced, as well as the right hon. gentleman, neither by feelings of personal friendship nor enmity; and, like him, too, looking neither to the right nor to the left, I again assert, that I rejoice to see the right hon. gentleman separated from the administration, considering him, as I do, an insupportable obstacle to the adoption of a great public measure, just in itself, and vitally important to the peace and prosperity of the united empire.

Sir Thomas Lethbridge said, he was most anxious at the present moment to declare his opinions respecting the alteration which had recently taken place in his majesty's councils, more especially after the speech of the hon. baronet who had just sat down. Of all the changes which had recently taken place, he thought the change indicated by the hon. baronet's speech the most extraordinary. The hon. baronet, however, while he dwelt on his loyalty to the throne, had adverted to a great leading point or principle, upon which the present cabinet had been formed—a principle which had led to the secession of the late ministers, including the right hon. gentleman who had recently addressed the House. For many reasons he regretted the secession of the right hon. gentleman; and yet, in some respects, he was glad of it, as it would lead the country to a real and just view of the great and leading
public principle upon which the present administration was made up. The change had at least produced this good effect—that it showed the public principle on which the administration was resolved to act; and it would be for the people of this country to decide whether they would support such an administration. There were now two clear distinctions formed in point of principle; and the nation must be decisively divided into those who supported and those who opposed the concessions claimed by the Catholics. These were the views which must be taken by those who supported, and by those who opposed the new administration; and so far he rejoiced in the change which had taken place. The cabinet was now at least united in principle, as he apprehended all cabinets ought to be; and it was from that feeling that he had, on a late occasion, given notice of a motion for an address to his majesty, requesting him to form an administration united in principle. He maintained, that it was proper that a cabinet should exist entertaining a decided opinion either one way or the other, and such an administration had now been formed, and was supported by the hon. baronet, because he conceived that the ministers were prepared to act upon the principle which he stated to be the sine qua non point in the formation of a ministry—meaning a full concession of all the claims made by the Catholics. The present first lord of the Treasury might, therefore, now be expected to come down to the House, and broadly and openly bring forward the proposition for the concession of these claims as a government measure. It was well known what the opinions of those were on this question, who, if they did not actually come at once into office, had at least been very near coming in, and probably would soon form a part of the administration. The question must, therefore, now come before the House in a decided form; more particularly as the hon. baronet had said, that the being prepared to make the fullest concessions to the Catholics was a sine qua non qualification for a member of the cabinet [cries of no, no!]. He certainly understood the hon. baronet to say so; and that he stated that to be his reason for supporting the present cabinet. The whole course of his argument went to that point. He certainly would oppose any further concessions to the Catholics; but he wished the question to be brought forward in a plain and decided shape, instead of seeing it hanging on as a matter of doubt, as it had done for the last twenty years. Those who had shown a disposition to support the present cabinet, were bound in honour and conscience to see that the Catholic question should be plainly and unequivocally brought forward as a government measure; and he now called on the first lord of the Treasury to speak out plainly on the subject this very evening; and he hoped that the right hon. gentleman, instead of continuing to temporize and to pare down principle, would bring the system to a final issue. This was but fair; and he would continually call upon the right hon. gentleman to bring the matter to a final issue.

Sir F. Burdett, in explanation, said, he had not stated that the concession of the Catholic question was a sine qua non; but had only expressed his hope, that the present cabinet would adopt measures to insure the tranquillity of Ireland, and follow a course corresponding to the progress of the public mind in England; and it was in that hope that he supported the present administration.

Mr. G. Dawson said, he was quite convinced that in the whole of this business the gentlemen who had formerly sat on the opposition benches, and who had now joined the ministry, had only done so from a wish to occupy the ministerial station and authority [a laugh]. He himself did not regret that he had quitted the service of the Crown, since he had done so for the reasons which had been so ably and eloquently stated by his right hon. friend, the late Secretary of State for the Home Department, and who had most honourably preferred the support of his principles to the retaining of the high situation which he had held. The hon. baronet had expressed his hope that the Catholic question would be carried by means of the present cabinet; and it was his duty, entertaining the opinions which he professed, and of those who along with him held those opinions, to insist that the cabinet should propose the granting of the Catholic claims as a government measure; otherwise the hon. baronet and his friends would be parties to the basest coalition that ever was formed [hear! and a laugh]. He repeated, that they would be parties to one of the basest, one of the most unnatural, coalitions that this country had ever wit-
nessed; and would exhibit the grossest abandonment of principle [another laugh]. He was not to be put down by laughing and sneering, and called upon the Speaker to enforce order in the House. He insisted that unless the hon. baronet and his friends would cause the Catholic question to be brought forward as a government measure, there never was such a base coalition formed for party purposes. He asked, whether the concession of the Catholic claims was to be brought forward? since, if it was not, there never was such a compromise of principle. Almost the whole of the public press had, by a kind of fatality, supported the first lord of the Treasury in the whole of this business. The fact was, that the entire prop was corrupted—corrupted to the very core—corruption had stifled the public voice, and prevented the expression of the public opinion; but though the press was silent, the voice of individuals was not. He, as an individual, would raise his voice to state facts which had come to his knowledge, and which, if true, would place the right hon. gentleman at the head of the Treasury in an embarrassing situation—circumstances on which the right hon. gentleman was bound to give the House a clear explanation. It had been stated by the highest authority in the country, that the new cabinet would not change the course of policy pursued by the late one, and that the majority of that cabinet would be essentially Protestant, and adverse to the Catholic question. But now it appeared that was not the case. What, then, would the country think of such conduct? What would the Catholics of Ireland think, but that emancipation would be instantly conceded, when they heard the members of the cabinet out of twelve in favour of the measure? If this should be the feeling of the Catholics of Ireland, what would be the feeling of the Protestants of Ireland, who had learned that the majority of the cabinet was to be Protestant—when they were informed, that the only advocate for Protestant principles in the cabinet would be Lord Bexley, who had given up place, and taken it back again, and in whom he as a Protestant, could have no trust? Would the Protestants of Ireland depend on Lord Lyndhurst; who, after having the other day made a speech from the pamphlet of Dr. Philpott, afterwards gave his aid to a cabinet in which the principles of that speech must be outvoted? No, the Protestants in Ireland had no confidence in either of them, and, least of all, would they enlist themselves under the banners of Lord Lyndhurst. What would the Protestants of England think, when they heard it stated on authority, that the archbishop of Canterbury, and the bishop of London, had informed the assembled bishops at Lambeth, that they understood from the king, that his opinions on the Catholic question were unchanged—stronger, in fact, than his father's opinions were when, in 1806, he gave that memorable answer to Mr. Fox. If this was not true, it could be contradicted by the right hon. gentleman. His majesty said to the archbishop of Canterbury, and the bishop of London, that before he took the coronation oath—[here there was a cry of order!]

The Speaker said that for many reasons it was extremely difficult for him to know whether he steered the proper course on this occasion; but it was necessary he should call the attention of the hon. member to the fundamental principle of all their debates, that, neither directly nor indirectly, the name of the Crown should be used to sway the discussions of the House, or influence its decisions.

Mr. G. Dawson resumed. When he was interrupted, he was making a statement relative to one of the greatest and most important questions that could engage the attention of parliament, and which, indeed, involved the nature and essence of the constitution itself. He was justified, he contended, in giving his opinion as to the formation of the new government. The House had been called upon by an hon. baronet to support the new government, because that government entertained a certain opinion upon that great question. He therefore said, that if the hon. baronet acted upon this conviction, and was correct in doing so, his majesty and his new ministers were at variance in their opinions upon that great question; and the House had a right to demand some explanation from the right hon. gentleman at the head of the Treasury, before they were required to give their support to any set of men calling themselves his majesty's ministers. He was at a loss to know how he could in a more orderly manner have stated the fact, that the archbishop of Canterbury had declared, that the coronation oath stood in the way of any concession to the Catholics, on the part of a certain distinguished per-
sonage. Now, if that was the case, and
the ministers knew that such was the op-
inion of their royal master [order! chair,
chair!]|—he begged pardon if he was out
of order, but he did not see that he was.
He said again, that if to this day, the
basis on which every government had been
formed was laid with reference to the de-
cided objection known to exist in a cer-
tain high quarter to the Catholic claims—
and if it was true, as was commonly re-
ported, that the archbishop of Canterbury,
and the bishop of London had told the assem-
bled prelates at Lambeth, that that objec-
tion still continued in unabated force, the
right hon. gentleman was called upon to
give some explanation to the House, not
only respecting the stipulation on which
he had accepted office, but as to his own
intentions with regard to that great ques-
tion, before the House could feel in a con-
dition to support him. As to himself, it
was a matter of little consequence whether
he supported the government or not [a
laugh]. The junction of the whigs, if it
had any effect on him, would only tend to
make him more decisive in his opposition.

But, he maintained, that the House ought
not to be satisfied with such explanations
as might arise incidentally in the debates
that were likely to take place. They
should ask, at once, fairly and openly,
what was to be the public expectation
with respect to this measure? If the Ro-
man Catholics of Ireland should be de-
duced by the prospect held out to them
by those now in power, and any criminal
excesses should follow, he should hold the
present government and the ministers of
the Crown, and them alone, responsible,
for every calamity that might overtake
that country, and be thereby entailed upon
this. He would once more repeat, before
he sat down, that an explanation was ne-
necessary, and he trusted it would be ample
and explicit.

Mr. Brougham then spoke to the fol-
lowing effect:—I rise under the pressure
of no inconsiderable, no ordinary anxiety,
to address myself to the House; and, per-
mit me to add, in the present, no ordinary,
state of the government, to the country
also, on the subject of this conversation.
I should, perhaps, have done so after my
hon. friend, the member for Westminster,
had spoken, in order to prevent some sen-
timents which he uttered from being mis-
understood; but having waited to hear, as
I did, with some surprise, the speech of
the hon. baronet, the member for Somer-
setshire, and still more that of the late
under Secretary of State for the home de-
partment, which I heard with increased
astonishment, I can no longer defer the
performance not only of the duty I owe to
myself as an humble individual in this
House, but of the duty which I owe to
those friends with whom it has been, and
still continues to be, my pride and pleasure
to act, since my first entrance into parlia-
ment. The hon. gentleman who last ad-
dressed the House made an appeal per-sonal
to myself in an especial degree. He
was considering the state of the new ad-
ministration, as he is pleased to term it,
and the principles that have preceded in
the reconstruction of the ministry; and he
discovered, it seems, especially after the
speech of my hon. friend, the member for
Westminster, that there can have been no
earthly motive for the change of position
which we have assumed, except the desire
we must have to participate—I do not
know whether he said in the emoluments
of office; but if he did not say it, more
sordid-natures would understand him to
mean it—at all events, in the patronage
and power of the right hon. gentleman
below me, now at the head of the Treas-
ury. To whomsoever that observation
may be intended to apply, be it a sober
theory of the hon. gentleman's, founded
on a reason, according to his mode of rea-
soning; or a sarcasm, the first birth of
wit in an ex-officer of the Crown, less ac-
customed haply to indulge in snees than
in silent votes [order, order!]|—there
are, it appears, some gentlemen whose
ideas of justice would be well satisfied to
hear the charge, but who refuse to listen
to the defence [cheers]. Whatever may
be my difference or agreement with the
government of the right hon. gentleman,
of which I am disposed to augur favour-
ably, I trust at any rate, that his govern-
ment will not be conducted in this House
on principles that would sanction so griev-
ous a departure from the justice due to
every individual [cheers]. I say, then,
that to whatever member or part of the
House the observation of the hon. gentle-
man may apply—to me, in my situation,
application it can have none. I never
dreamed of taking office under the pre-
sent arrangement. I am much more cer-
tainly and inevitably out of office, and
out of office am more likely to continue,
than even the hon. gentleman himself [a
laugh]. But because I support this government, though I go no further, I am to be charged with having acceded to an unnatural coalition. I am to be told, there has been a monstrous and unnatural alliance formed between the right hon. gentleman below me, and those friends with whom I have had, and still have, the happiness and honour of acting: An unnatural alliance—because there are points of difference which should have eternally forbade the junction! an unnatural alliance—because we have differed, and particularly of late years, on all the most material questions of internal and foreign policy! an unnatural alliance—because, since the death of lord Londonderry, we have been striving to rivet fast to the chariot wheel of the Holy Alliance the triumphant fortunes of Great Britain!—[hear]—an unnatural coalition, because we have been amongst those who have been the staunchest friends to the liberal system of commercial policy adopted by that ministry: because, amongst others, I myself have been the constant supporter of those free doctrines in trade, which were afterwards received, sanctioned, and carried into practice, by men more enlightened and of far more political weight than myself! An unnatural coalition, undoubtedly, because we have constantly differed from the right hon. gentleman, as to the internal policy of the empire; because, forsooth, have ever disputed with him, as to that great corner stone, the mode fitting to be adopted for the government of the sister kingdom of Ireland [cheers]. Look over all the great political questions that divide some men, and approximate others at the present day. Travel with your eyes over the affairs of Europe, or across the Atlantic, and see the dawn of liberty in South America, where millions are blessing the grateful light, while the hearts of millions in this country are beating in unison with theirs, yet rejoicing in their new-born freedom [cheers]. Whether we look, I say, to the east or the west, to America or to Europe, to our domestic policy, or questions of trade, or the improvement of our mercantile system, or to the agricultural interests of the country—the very last subject on which I gave the feeble aid of my voice to government, though the late Under Secretary was then silently voting on the same side [a laugh]—surveying all those great questions which divide men in their opinions, and animate conflicting parties and rival statesmen, I can conscientiously declare, that passing them all in review, I cannot discover one single tenet or sentiment, nay, one solitary feeling which, practically speaking, has influenced the councils of his majesty's government, during the last three or four years, and which did not find in my opinion, a firm support, and in my feelings a faithful echo [cheers]. There was, indeed, one point, in those days, in which I differed from the right hon. gentleman. As to one question, one practical view of the state of affairs, I could not coincide with him. When I saw a cabinet formed of Statesmen appearing outwardly to act together, but whose opinions on the greatest question of all not merely discarded, but differed widely as the poles asunder; when I saw the opinions of one Secretary of State, as evidenced by his vote and his speeches, opposed by another Secretary of State;—when I saw the government in such a state as the late Secretary for the Home Department has manfully, and honourably to himself, and satisfactorily to this House and to the country, described—a state in which he found himself chiefly, if not singly opposed to his right hon. friend (Mr. Canning) so painfully situated, that he had almost resolved to retire a year or two ago from his majesty's service;—when the government was in this state, I could not give it a more regular, constant, and therefore, valuable support. I was prevented from doing so,—barred out from the very attempt—because I could not lend my assistance to a government so constituted as to command respect from no thinking man; and in which, from its very construction, it was utterly impossible that the interests of the public service could be consulted [cheers]. This impediment has been removed by the retirement from office of those who were the principal elements of this opposition in the king's councils. I wish to speak with unfeigned respect of the noble lords and right hon. gentlemen who have lately retired from the public service. With regard to the right hon. gentleman who has addressed the House this evening, I am particularly anxious to express myself in those terms of high personal respect which I feel towards him. I shall not now be accused of paying my court to that individual, if I speak my full opinion of his merits. It may not be forgotten by
the House—not because any thing done by so inconsiderable a person as myself is likely to dwell in their memory, but as connected with passages in the right hon. gentleman's life worthy to be recollected—that if there was one individual in this House, to whom on this side (I at that time sitting on the other side), it was my misfortune, certainly not his fault, to be opposed in a more personal manner than another, it was that right hon. gentleman. But candour, and truth, and justice, compel me to say, that the manner in which he conducted himself was not only at all times above all censure, but such as places him above the possibility of suspicion, even by the most ingenious malice of his worst enemy, if he had one [cheers]. Feeling the good accomplished by the moderate, rational, and wholesome steps taken by the right hon. gentleman, for the amendment of the Criminal laws—those great reforms, projected by that excellent man, sir S. Romilly, who was not spared to witness the triumph of his principles, and more recently supported with surpassing eloquence and ability, by an hon. friend (sir J. Mackintosh), whom indisposition now keeps from his place in parliament I regard as none of the least evils resulting from the unsettled state of the Catholic question, that that circumstance alone deprives the government and the country of that right hon. gentleman's services [hear, hear!]. I would add one word respecting this great question. Base conduct has been imputed to his majesty's government, and those who have joined it, in plain, undisguised, and therefore to me, I confess, more palatable, because more intelligible, language, by the right hon. gentleman who spoke last. [Some friend whispered to Mr. Brougham]. Well: the hon. gentleman, then be it. Nobody will mistake me. My friends are afraid that I should seem to confound the late right hon. Secretary of State with the hon. Under Secretary. There is no danger of confusion in this case [a laugh]. The right hon. gentleman (Mr. Peel) used no such terms as those of "base conduct" and "unnatural coalition," and if I read his character aright, he is incapable of feeling the sentiments which would give rise to that plain and honest language. But, Sir, I say there is no baseness in this coalition, if there be no fraud practised on the parties to this alliance. I, for one, do not look to see the Catholic question made a cabinet measure. I have no such expectation. I look to its being served and advanced by the mode in which the cabinet has been remodelled [cheers]. I look to the ultimate good to be obtained for Ireland, if it be pursued prudently, discreetly, practically, with a just estimate of all the prodigies of difficulties which yet stand in the way, and which seem even to accumulate round our steps as we approach the desirable goal. The very statements we have heard this evening from the hon. gentleman (Mr. Dawson)—for I understood enough of his allegory to comprehend what he alluded to, and which may, I fear, be all perfectly correct—shew that these difficulties are increasing rather than diminishing. Heartily and zealously desiring the welfare of Ireland, and the accomplishment of the wishes of all Catholic Ireland, and of a great part of Protestant Ireland too—for, permit me to say, that all the Irish Protestants are not on one side, and all the Irish Catholics on the other—I am anxious, in the first place, for the removal of all causes of internal disagreement and jealousy. It is notorious, that in the last division, which postponed the hopes of the Irish Catholics for another year, a vast majority of the Irish members, who, generally, all by law Protestants, voted for emancipation. But, let me at the same time give forth a warning to the Catholics themselves, an admonition to their advocates in this House, and this salutary advice to their friends generally: Let them not at this critical moment [cheers from the Opposition benches, echoed still louder from the Ministry side]—let them not, I repeat, at this critical moment, to please their bitter enemies, play the game of the part of the quadrant of this House, who, already in expectation of success of their shallow device, suffer it too plainly to appear, by those signs and gestures and articulate sounds, by which they make themselves understood, though they seldom deal in articulate language [cheers]. Let them not, I conjure them, gratify the member for Somersetshire (sir Thomas Lethbridge), whose position is at this moment, I should say, but for the abundance of my respect for him, absolutely grotesque. Long may he occupy it! As the hon. member for Yorkshire wished the late right hon. Secretary of State, I wish the hon. baronet constant health and an uninterrupted enjoyment of that bench which he now so peculiarly
adorns [a laugh]. But I counsel him to beware of speaking. It is a dangerous employment of the property of the mind. Let him use what he has wisely and wisely. Let him be as much as he pleases; but let him be cautious how he commits himself to the more arduous duty of talking. His position this evening struck me as pre-eminently ludicrous, and almost induced me to call it by the appellation that properly belongs to it. He was placed, it evidently appeared between two equal and opposite sets of motives, each of similar powers, attracted as it were, like a certain animal, by two bundles of hay [a laugh]; so the honourable baronet hardly knew whether to support the sovereign who was compelled, by the retirement of his ministers, to exercise his prerogative, and call others to their places, or those who had endeavoured to embarrass the government by their sudden haste. I trust he will take the constitutional course on the present occasion; and he may be assured, when I tell him, that there is not in any question, in or out of the cabinet, the shadow of an intention, all at once to alter the policy that has been pursued for many years with regard to the Catholic claims, and now, for the first time, to make it a cabinet question. But, will nothing but the entire destruction of the new administration satisfy the hon. baronet? I speak as a bystander [a laugh]. If he is not satisfied with my relative, lord Bexley, is the new lord chancellor nothing? Is he no security? Did he not hear the speech of that noble and learned lord, on the last debate in this House, when I was sitting a humble member of that body of which the hon. baronet is now the baronet? There are, at least, those two members of the cabinet opposed to the Catholics; to say nothing of a third. But with respect to that great question, I will say, that whoever advises any man to stir it by any means out of this House, or to bring it forward again this session, in which the sense of the House has already been declared against it, that man, I say, will not further the interests of Ireland or of the Catholics. Nor will he do his duty with regard to the tranquillity of Ireland, or the peace of her government; but he will shew himself the worst enemy of the momentous interests he pretends to uphold, and make himself a blind tool in the hands of the member for Somersetshire [cheers and laughter]. That the progress of that question may be accelerated, is my most anxious desire; and to it I have long directed my attention and devoted my talents. As it is the custom to talk of sacrifices, I may mention mine. I have quit a situation in this House which, considering the influence of opinion and feeling, was in the highest degree grateful to me; and in which I was surrounded and (if it may be permitted me to say so) supported, by one of the largest, the most important, the most honourable, and, now I may say it, for I was privy to all their councils, and my motives cannot be suspected, the most disinterested Opposition, that ever sat within the walls of this House [cheers]; men who supported what they deemed right, though it kept them out of power; and confirmed their adversaries in office; and who persevered in that course year after year, without a possible hope of benefit ever accruing to themselves [cheers]. I have quit that honourable and eminent situation, enough to gratify the ambition of the proudest of men, on an express stipulation, which utterly excludes the possibility of my taking office [cheers]. I have done so deliberately and advisedly. I shall be sufficiently gratified in watching the progress of those opinions to which I am attached, both as to our foreign and domestic policy; including with the rest, the Irish question, but not giving it a prominence which would render it exclusive, and impede its success by making it unpopular in this country, by arousing the religious jealousy of the people. When I say that I have not become a party to any arrangements with regard to office, I wish it to be understood, however, that the union which has taken place between parties lately divided will have my cordial and uniform support. My taking office would have stood in the way of those arrangements; and I therefore at once voluntarily, and without waiting for a suggestion from any one, resigned all my claims to office. It is unpleasant to be forced to dwell on matters that are wholly personal to one's self; but, as the right hon. gentleman most truly stated this night, the character of a public man belongs to his country; and to this country he ought not to be slow in furnishing the means of properly estimating his motives.

Mr. Canning rose, under evident emotion, and spoke nearly as follows:—

Sir, it would be uncourteous to the
House, and uncourtly to my right hon. friend, were I to allow this opportunity to pass without expressing, in as few words as possible, the sentiments which his speech has excited—I should rather say confirmed—in my mind; and although, perhaps, I might not have risen for the express purpose of doing so, yet, as there have been calls on me from different parts of the House, and as I am quite prepared, in the discharge of my duty, to answer those questions, I hope satisfactorily, I certainly shall not fail to express the pleasure I have received from hearing them.

To begin with the more agreeable part of my task, the speech of my right hon. friend, I shall confirm the greater part of that speech. I can bear testimony that, throughout the whole of the discussions that have taken place since parliament was adjourned, I have kept up with my right hon. friend the most constant and confidential intercourse; and throughout have I found in him the same candour and sincerity, and the expression of the same just feelings, and a uniform exhibition of the same high principle, to which he has laid claim in the address which he has this night delivered. I assure the House that they much mistake the position in which I have the honour to stand, who believe that position to be one of gratified ambition, or as conveying the feeling of unalloyed satisfaction. From the beginning of these discussions, I foresaw—both of us foresaw—that the must terminate in a separation; which I hope to God may be only for a time! Had the question been merely between my right hon. friend and myself, and had it been to be decided by his retirement or by mine, I do most solemnly declare it should have been decided by the latter alternative [hear, hear!] Sir, my right hon. friend had the courtesy to state to me yesterday, his intention of making some explanation, or statement, to the House on the present occasion. I had therefore, the opportunity—for which I thank him—of doing that without which I should never have been able to address the House with satisfaction to myself—of asking his Majesty's gracious permission to state such passages in the late discussions, as might be necessary to explain my conduct. I know not whether the House will be surprised to hear—my right hon. friend will not, for I have already stated it to him—that when I was first called upon by his Majesty for advice, in the critical situation in which the government was placed—aware, for why should I disguise the fact?—of his Majesty's individual opinions, I counselled him to make the government conformable to those opinions. That counsel necessarily involved my own retirement, and that retirement would have been made with a much more cheerful heart, and a more confident assurance, from the position in which it placed me, than I have had at any subsequent stage of these transactions. Sir, in offering my advice to his Majesty to constitute a government opposed to my opinions, I begged leave to withdraw myself, as I could not form a part of such a government. Now, Sir, why did I do this? I, who, as the House may do me the honour to remember, have always defended, and still continue to defend, the existence of an Administration divided in opinion upon the Catholic question. I will tell the House my reason for so doing, in order to put an extinguisher upon misconstruction as to my real motives. Not many months ago, from quarters which I will not name, strenuous advice was addressed to his Majesty, to place his government on a footing of unanimity, with respect to the Catholic question; and that unanimity to be one of uniform opposition to that question. Lord Liverpool, to whom this advice was communicated, at the same time that it was addressed to his Majesty in a letter to his Majesty, stated first, that having been one of the original authors of a government divided in opinion on that question, he, for one, never could consent to become a member of a government modelled upon the principle of exclusion. Lord Liverpool also added, that as he was called upon to give his advice to his Majesty, he must say, that in his opinion, it would be extremely difficult to accomplish the formation of such a government. I say, therefore, Sir, that when I found myself placed under the necessity, as a counsellor of the Crown, of advising his Majesty to attempt the formation of such a government, it was not for me to estimate the difficulties of the task—it was not for me to take the place of those counsellors who counselled the necessity of such a course, and point out how difficulties might be surmounted or objections overcome. It was not for me, I say, to point out how it might be done; but I could
not disguise it from myself, as I had felt it
my duty not to disguise it from my Sove-
reign, that although the formation of such
a ministry was a work of very great diffi-
culty, it was not a task of absolute im-
practicability [hear, hear]. Now, for
what reason that advice was not acted
upon; by whose advice or by what counsel
it was determined to abandon that course,
I do not know—and more than I know I
will not state—but from the time when I
first saw the king, and gave the advice I
have described, down to the period when
his Majesty came to town, I had no know-
ledge, of any certainty, that the advice I
gave had not been adopted. So far, there-
fore, from seeking or soliciting, as the
hon. gentleman charges me, the post
which I have now the honour to hold,
I withdrew myself altogether from any
participation in the arrangements, in
order that the experiment which was said
to be so loudly called for by the country
might be fairly tried—that experiment
which was alluded to, and sought to
be enforced, by the abortive motion of
the hon. member for Somersetshire
(sir T. Lethbridge). I mean not, how-
ever, to be guilty of any incivility;
but I repeat, that I withdrew, in order to
have that experiment fully and fairly tried;
and I declare to God that there was no-
thing at that moment nearer to my heart,
than that my stepping out of the way
might remove every obstacle to the trial
[hear, hear]. But, Sir, when it was distinctly
stated to me, that such an administration
could not be formed, and when I received
his Majesty's commands to model a govern-
ment on the same principle as that of lord
Liverpool, of which I had been a member,
nothing, I conceived, could possibly remain
but to construct a government of the
divided character to which I have alluded,
upon the subject of Catholic emancipation,
with the necessary consequence, that the
question of the removal of Catholic dis-
abilities should not be made a measure of
the cabinet. But then, with the proposal
to form a government upon that principle
—upon the very principle of my prede-
cessor—came a new question—a question
which at once involved the point of, whe-
ther I was to remain in the situation to
which I had been raised, disgraced in my
own opinion, and discredited in the eye of
the country, or whether I was to receive
from the hands of my sovereign, undimin-
ished and unincumbered, that inheritance
which a dreadful misfortune—for dreadful
I may indeed call it—had cast upon his
disposal. Now, what was it I proposed?
What was it I had in command to do
in the reconstruction of the government?
To form a ministry upon the principle
of lord Liverpool's administration. That the
government should even consist of the very
same individuals, I am sure I had no objec-
tion. But, what was proposed to me?
That I, having his Majesty's commands to
form a government upon the very same
principles as those of my lamented prede-
cessor, should place at the head of that
government another person, holding upon
the subject of the Roman Catholic claims
lord Liverpool's opinions [hear, hear]?
Now, what was it I was desired to sanction
by the adoption of that course? What
principle is it I was called upon to admit?
Why, I was desired plainly to say, that I,
holding the opinions I have repeatedly
avowed myself to hold upon the Catholic
question, am thereby disqualified from
being placed at the head of the govern-
ment [cheers]. I was called upon to ac-
knowledge, in the face of the country, that
I, forming an administration upon the prin-
ciples of lord Liverpool—that is, of divided
opinions on the Catholic claims, was—
from the very holding of a different and
divided opinion—disqualified from taking
the highest office in that government
[cheers]. I will retire altogether and for
ever from public life; I will betake myself
to the furthest boundary of the earth, and
into perpetual banishment; I will resign
any and every hope of office—for I care
nothing for office—but I will not disgrace
myself, by consenting to sanction a prin-
ciple which could only bring degradation
to those who must become the subject of
such an exclusion upon account of their
opinions [hear, hear]. To that principle,
Sir, I repeat I could not submit. I would
rather have quitted office a thousand times
—I would rather be proscribed and perse-
cuted by all who are disposed to proscribe
and persecute for opinions—than live to be
execrated to all futurity, for having, in my
person, fixed such a blot upon the cause of
those who thought that every man was
free to hold opinions, although he might
not be able to persuade others to adopt
them [cheers].

I hope, Sir, I have now vindicated my-
self from the charges brought against me
by the hon. gentleman, and satisfied the
House that I am not so much possessed
with the spirit of overleaping ambition, as that hon. gentleman would have them believe. My first desire was to quit office altogether. I had no objection to act again with the members of the old government, but never could I accept of any place under it, short of that place to which I might have aspired, if my sentiments had been adverse to Catholic emancipation. But did this rule of conduct necessarily produce the consequences to which my right hon. friend (Mr. Peel), and another hon. gentleman, in coarser language, alluded; namely, that the government of my suggestion must consist of Catholics? Certainly not. I have been taunted, and in no obscure terms, with something like a breach of faith with my Sovereign, for not proposing some plan which would embrace an equal portion of both sides in the administration. The late under-secretary, who made this imputation, does not happen to be well-informed on this subject. In fact, I did make such a proposition, and I did everything in my power to reduce it to practice. But, Sir, was it my fault that on the 12th of April, when I went to the chamber of my Sovereign, with the intention of proposing a plan of arrangement which should embrace all the members of Lord Liverpool's government, and embrace, therefore, an equality of Protestant and Catholic votes, or rather, I should say, a preponderance of Protestant votes in the cabinet, the extraordinary coincidence occurred—I by no means wish to call it a concert—of his Majesty receiving, at the same moment, in the chamber, the resignations of six Protestant members of that administration [I call them Protestant only in the parlance of this House]. Observe, Sir, the charge against me is, that I have organized a government all Catholic, as to its views upon that question, having promised to form one that should be half and half; and my hon. accuser sinks the indisputable fact, that the Protestant half of the administration withdrew themselves. I think it is rather too hard to charge that resignation upon their parts, as a breach of faith upon mine [here Mr. Peel suggested, that all the resignations were not Protestant; there was one Catholic, Lord Melville]. I beg pardon, Sir; I have unwillingly included in the number of these resignations my lord Melville, and am well reminded that we have been told, on the present occasion, that his resignation, also, was upon the ground of the Catholic question, of which he has always been a supporter. Lord Melville's resignation I did not mean to include in this enumeration; so that, instead of six, I should have said five, Protestant resignations. However, five Protestant resignations, at all events, came into the king's hands, within twenty-four hours; and thus, five of the members on whom I had reckoned for the new cabinet, were at once withdrawn; and, upon this statement, I again ask the House, whether it is fair to impute to me a wilful non-execution of the orders of my Sovereign, in the formation of that cabinet [hear, hear].

But, Sir, did the matter rest here? About the middle of Thursday—I believe it was on a Thursday that the House adjourned—about two hours before the meeting of the House, and after I had given directions to move a new writ for my return, I received these resignations. Upon receiving them, I said to my Sovereign, "Here, Sire, is that which does me the most execution of the orders of my Sovereign, in the formation of that cabinet [hear, hear]."

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painful; and I may truly say, to me, as painful as, in almost every instance—every instance I do not say, for I sedulously except my right hon. friend—they were wholly unexpected. Sir, I really knew not in what way I had sinned in the eyes of my late colleagues—those other of my colleagues, I should rather say—that they should decline acting with me. I had never offended them intentionally, nor do I know that I had ever excited among them unwittingly any feeling so hostile or personal to me, as to be at all likely to lead to such a result. Between my right hon. friend and myself, it is almost unnecessary for me to observe, that upon every subject, in every discussion I can call to mind, upon all great questions of foreign or domestic policy and law, there has been the one unhappy question of Catholic emancipation excepted—there has been that sort of general agreement, that I do not believe there exists the individual with whom my opinions are in more complete accordance—[loud cheers]—and I do think that hardly any greater calamity could have befallen the country, than my right hon. friend’s secession from office, not only as respects his administration of the Home Department, but as regards the important share which he has so long taken in the great councils of the country, and the share that is still open to him, and still, I trust, to be filled by him, in the general discussions of this House. But as to others of my late colleagues, I am not prepared to express an opinion on the proceeding they have adopted, because of its motives I am not aware. So far, indeed, as I had reason to know any thing of their dispositions in relation to myself—I speak now more particularly in reference to the line of foreign policy which I have pursued, as being that department of the government with which I was more immediately connected—I, understood that my official conduct had received their unqualified approbation. Both in the cabinet, and in the two Houses of parliament, they expressed such favourable opinions; nor can I charge myself with having, by any measure of my own, produced intentionally any such change in those opinions as should have led to this unwillingness on their parts to continue to act with me. As I am resolved not to say any thing which may be called unkind, I have abstained, therefore, in what I have said, from stating any thing more than how I am situated with respect to my late colleagues, and how I came to be so [hear, hear!].

There were, however, one or two topics adverted to by my right hon. friend, upon which he must allow me to make one or two observations; not, as I can most cordially assure him, with any hostile or unpleasant feeling; but that I may set myself right upon points touching which he has proceeded rather upon a mistake, than from any intentional misrepresentation. My right hon. friend, when he addressed the House, said, how was it possible not to perceive, that without my doing any thing active in the cause of the Catholics, without my moving even a finger in their support, my mere existence in my present position, and the absence of those others—for whose absence, be it recollected, I am not responsible—must be taken as a moral promotion of that question upon which we have been hitherto divided [cheers]. Sir, I cannot possibly deny the truth of that observation [cries of hear!]. It is literally true; and any one who will take the trouble to put that question and that answer together, must find in the answer a reply to the taunts of the hon. member for Somerset (sir T. Lethbridge), when speaking of the support which the late opposition have declared their intention to bestow upon the present administration. That opposition have declared their intention to support me. And why? Because they see the very same thing about to come to pass as the right hon. gentleman—that without stirring, as I have said, a single step in the advocacy of the cause they have espoused, my mere existence where I am is an unquestionable advance of their object [hear, hear!]. If it be so, as it is I cannot help it. I am ready to anticipate the advantages which it confers. But surely my right hon. friend is not prepared to contend, that a reason which has been good for him is bad for them. Surely he is not disposed to contend, that if he was justified in resigning his situation because he thought the Catholic cause, which he opposes, received an impulse by my advance, others are not equally justified in saying, that they will support me, because the question which they support has received that impulse [cheers]. If, therefore, the Catholic cause receives a support not by any of my endeavours, but merely from the effect of an impulse created by my situation, surely I cannot help the consequences; and I
can only say, in reply to the taunts of the hon. gentleman (air T. Lethbridge), upon the subject of the support of the Opposition, that I trust they will upon those subjects afford me the support which I may be found to deserve, tempered only by that degree of difference which may be found to exist between us [hear, hear!].

How, I would ask, does the Catholic question stand now? I say, it stands precisely as it did in the year 1812—that is, in a particular part of the year 1812—for there is a difference. My right hon. friend, in adverting to that point, did not sufficiently distinguish one part of that year from the other, and by that means created an apparent inconsistency. It is very tiresome to refer to books in discussions of this kind; and not being anticipating the necessity of consulting them on this occasion, I did not bring them down with me; but in consequence of my right hon. friend’s speech, I have sent for them, and I can now refer to them. My right hon. friend says, that in a debate which took place on the 25th of May, 1812, in assigning my reasons for not joining lord Liverpool’s government at that time, I stated, that I should be coming into a cabinet that would not contain any of those members upon whose support I could not depend. I say, it stands as it did in the year 1812. My right hon. friend has clearly stated, that the cabinet intimates an opinion, that the propriety of further concessions to the Catholics could not now be agitated, nor any inquiry be gone into at present on the subject of the disabilities affecting his majesty’s Roman Catholic subjects in Ireland, with advantage to the empire, or a due regard to the welfare of the community at large. Why, then, Sir, the footing upon which the cabinet then stood, in respect of the Catholic question, was one of general resistance to it; and in the government itself, there was a joint determination to act upon that authority. It was in this state of things, that on the 25th of May, 1812, I refused to join in lord Liverpool’s arrangements, and I gave him my reasons for not doing so, which were involved in that determination on the part of the cabinet. But what happened, Sir, in the mean time, between May the 25th, and June the 22nd? Why, that in June, lord Castlereagh came down to this House, and being questioned by the hon. Mr. Spencer Stanhope, whom many gentlemen round me will remember—as to the footing on which the Catholic question was then to stand (this was after the death of Mr. Perceval), lord Castlereagh said, “it was so far changed, that, whereas, up to that period, the cabinet, though consisting of members who were actuated by different opinions on the subject, had yet all concurred in resistance to it; they were now not only to speak, but to vote, if they thought proper, in pursuance of those respective opinions.” Then, I contend, Sir, that between those two periods of which the right hon. gentleman has spoken, the cabinet itself was changed in its character, as regarded this question. It was changed,
by being put upon that independent footing, on which my right hon. friend and myself have voted in it together, for so many years. Did this altered condition of circumstances effect no change in the condition of the Catholic question? Assuredly, it did; and I well recollect its being hailed by Mr. Grattan, and many others, who voted with him, as a most important accession to that cause; and the proof of the fact is, that my motion was carried by a triumphant majority.

Now, Sir, I think I have sufficiently explained the difference which had arisen between the two periods in question as to this important subject, and as to my views upon it. I think, therefore, I have shown, that there was no inconsistency in my conduct between May and June; for it is fully explained by the change of circumstances which took place. I certainly opposed the agitation of the question, so long as the government was united to oppose it, but when every member of the government was at liberty to express his opinions, I supported it. Upon the 26th of May I made a speech in this House, and I have not the vanity to think that that speech produced the result which followed; but three weeks after this, the conversation took place between Mr. Spencer Stanhope and Lord Castlereagh, to which I now call the attention of the House. The right hon. gentleman here read the following passages from the Parliamentary Debates:

"Mr. Spencer Stanhope rose for the purpose of putting a question to the noble lord opposite. He wished to know if it was intended, on the part of the present ministers, that the same policy, in every respect, should be observed by them, in reference to the Catholic question, which has been observed by the administration under the conduct of a late right hon. gentleman?"

"Lord Castlereagh said, that he felt some difficulty in answering the question of the hon. gentleman literally, the arrangements for the new ministry not having been yet fully completed. But as to the spirit of the question, he thought he could be more satisfactory. He could say this, from his knowledge of those employed in forming that administration, that, generally, their sentiments remained the same. Upon a former occasion, they had thought, inclusive even of those who were favourable to the measure, that the present was not the time for discussing the question; and in still thinking so, the recent decisions of parliament formed a leading consideration in influencing the adoption of that opinion. The sense of parliament having been at least for the present, definitely pronounced, they thought that any immediate revived discussion would only create irritation, without being productive of any thing useful. He was aware, however, of the growing change in favour of those claims; and in submission to that change, and the real sentiments of certain members of the government, it had been resolved upon as a principle, that the discussion of this question should be left free from all interference on the part of the government, and that every member of that government should be left to the free and unbiased suggestions of his own conscientious discretion." Here, then, it is evident, that a complete change was, at that time, considered to have occurred, between the 25th May and the 25th of June 1812, in the opinions of the government. At the former period, the cabinet were all united in resistance to the Catholic question; at the latter, it was to be left open and free to the unbiased discussion of all or any of the members of that cabinet.

But, to come to the present condition of that question—I say again, that it remains under this government in precisely the state it was truly described to be in by Lord Castlereagh in 1812; and precisely as it has been since repeatedly described by myself; in short, as it was described by me to be in 1825, in a debate which took place, in the month of March, upon the state of Ireland; and in the very last debate, in the same year, upon Catholic emancipation. On that occasion, I perceive I used these words: "He held himself as perfectly free as any other member of that House, to pronounce an opinion upon that great national question, and as such to give it his support, reserving to himself the right of selecting the time when he was to give that support, and the manner in which it was to be afforded, according to his judgment of the degree of success which was likely to attend such an exertion." Those were the words which I used then, and my opinions are not in the slightest degree changed. Such was the footing upon which this question stood when I was the colleague of my right hon. friend; and on that same footing it stands now. Let it be observed, therefore, by
those with whom I have formerly acted, and from whose objections on this occasion I do not shrink, however the acknowledg-
ment I have made may be attempted to be converted into matter of opposition to us, that, with those who form the present cabinet—and some of whom formed part of the last—the Catholic question now stands on the same ground as it stood on under lord Liverpool's government. That is, it is a question which each member of the government is at liberty, if he pleases, to propound to parliament; but if any mem-
ber of the government shall so bring it forward in either House of Parliament, he is distinctly to state, that he does it in his individual capacity only, and not as pledg-
ing his colleagues to his own opinions on the subject. This, Sir, is the position of the Catholic question now; it is the same in which it has now stood for fifteen years in which it was placed in 1812; it is the same successively. That it should remain in this state has, I know, been objected to by many; but if I consider the state of the country at large—the inclination of men's minds upon the subject in England, as well as in Ireland—and the infinite diffi-
culties which surround the attempt at present to alter that state—it is, in my judg-
ment, and in my conscience, I believe it to be, the only footing upon which it can at present be safely left. And if there be any who would seek to put forward the question beyond that point, and who hope to accomplish their object, by a premature exertion of power on the one hand; or if there be others who would not hesitate to stifle all just and natural expression of feeling or opinion, at the risk of a national convulsion, I can only say that I am not of their number, and that I am not pre-
pared for the convulsion either in Eng-
land or Ireland [loud cheers]. I would not raise hopes which I do not see any immediate means of realizing. In making this observation, I am not speak-
ing of the moral accomplishment of those hopes, but of exciting expectations without having good grounds to anticipate their immediate or speedy fulfilment. I re-
member too well—and but a short memory indeed is required for that purpose—how much has been uttered in the way of com-
plaint, in the debates of this House upon the Catholic question, about things being said and done in Ireland, that had raised expectations which ought not to have been excited, unless the authorities from whom those acts and declarations emanated, were prepared to follow them up. Now, Sir, it is precisely because of my not being at present prepared to follow them up, that I will not raise such expectations. Much and cordially as I agree with those who view the measure of emancipation, as calculated to tranquilize Ireland; I yet estimate very highly the degree of passive resistance to it, which exists in this coun-
try. I would not run against the feelings any more than I would against the interest of England. But if, looking to the char-
acter and extent of that resistance, I am asked whether I despair of the ultimate success of the question, I answer; that I do not despair that the good sense of the Eng-
lish people, after a candid discussion and repeated consideration of it, in spite of mere factional resistance! to the claims themselves, will ultimately concede those claims. I say, I think, Sir, the time will come when well-meaning, and conscien-
tious, and intelligent people, now among the most strenuous and most honest oppo-
nents of this great measure, will look back with a degree of surprise, and almost in-
credulity, at the opposition which they have, up to that time, manifested to it. But, though I think this, I am not pre-
pared to run counter, in the mean time, to those feelings. A single week of peace in England, is worth a much larger portion of time devoted to the accomplishment of a great, but, as yet, a theoretical, good in another portion of the empire. Though I thus confidently expect the dawn, I am by no means prepared to hasten it—though I know the present darkness upon the sub-
ject (for darkness I must consider it) will be succeeded by illumination in the minds of men, I am disposed to watch patiently the progress of that enlightenment. This result I heartily hope; but I will not en-
devour to anticipate it by any attempt to force the judgments of any portion of the community [hear].

I hope I have now, Sir, given to honour-
able gentlemen every necessary explana-
tion upon the topics which have been this night referred to. So far, as I am aware, I have kept nothing back; but when I am taunted by questions such as that which an hon. gentleman has put to me, whether I do not know that, in the very penetrat-
ins of the royal breast, there exists feelings repugnant to the Catholic claims, I reply, that I would venerate in that illustrious in-
dividual, as I did in his royal father, the
repugnant feelings which actuate him on this question. I would hurt no feelings, as I have already said, of that nature. But, if I am asked by that hon. gentleman, whether I think the Coronation oath is any obstacle in the way of concession on the part of the Crown, I answer, no [hear, hear]. No more did Lord Liverpool—no more did my right hon. friend himself; and if the time should ever come when it may be necessary to argue that question, I shall derive my best argument for the view I take of that point, from the opinions which have already been addressed to parliament upon the subject by those great men. Let not, then, the people of England be led away with the notion, that by the carrying of the Catholic question, the peace of the country would be endangered. The time has passed when those pernicious influences, which have been so much advertised to, could be any longer exercised, by the Catholic church, with any effect, upon its security or its welfare. But, does the hon. gentleman, who so much deprecates all discussion of this question, imagine that it can be avoided? Does he imagine that this is an object of political necessity, the accomplishment of which can be overlooked? Does he suppose that if we will not consider fit now, it is a question that will sleep? The question, Sir, may sleep for a time, but it is that sleep from which it will awake with renovated strength, to the accomplishment of its final triumph. Looking at the question as it stands now, and judging according to the evidence which presses upon me, I cannot conceal from myself the fact, that it has gained a vast accession of force, although, God knows, that gain was not of my seeking. But it was not gained in that manner which could induce me to force it upon this House, when I see so large a portion of the community holding a contrary opinion.

I am not conscious that I have omitted to reply to any of the matters which have been suggested to me; but if I have, I shall be sincerely obliged to any querist, who will remind me, be he who he may, of any such omissions. I trust I have succeeded in shewing that I am where I have the honour to be—not by my own seeking, but by the pleasure of my Sovereign. I had previously made arrangements for an administration, under which I should have been excluded from this situation. That plan was refused by those whom it embraced, and another prepared in its stead, to which I could not have acceded, without, at the same time, recording my acknowledgment that the opinions of my past political life, upon one of the most important of all the questions which I have ever been called on to consider, furnished a justifiable ground for my exclusion from any sort of participation in the government which this latter proposal was to organise.

I will close this address, Sir, by repeating one or two remarks which I remember to have submitted to the House in 1822. I was then appointed to a post, which I owed not to the favour of his Majesty's government, but to the commands of his Majesty himself; a post fraught with wealth, distinction, and honour. From this post I was recalled immediately after my nomination to it, contrary to my own feelings and wishes, and recalled to hold office in this country. I made the sacrifice—to a poor man, be it permitted me to say, no indifferent or trivial one—without hesitation, and, so help me God! without any stipulation. But if, Sir, when that proposal to take office was made to me, it had been accompanied—as in fairness it should have been, if I was to be ousted on account of the opinions that have since been excepted against me—with this sort of intimation from the ministers who recalled me:—"Though we call you into the government, because your services are necessary to us, yet remember, that if by any unfortunate chance, the highest situation in that government should become vacant, and should, in all other respects, be eligible for a person holding your situation in parliament and in the councils of the country—remember, that because you support the Catholic claims you are to wave all pretensions to it." If their proposal, I say, had been accompanied with such an intimation, I would have turned that proposal back with the disdain and indignation with which I have more recently rejected their offer to serve under a Protestant cabinet (using this term Protestant in the familiar sense only in which we are accustomed to use it in discussions of this kind) to serve under the same man, in short, on a condition which I should regard as the badge of my Helotism, and as the indelible disgrace of my political existence [loud cheers].

Mr. Peel, in explanation, observed, that what he had alluded to, in saying, that
the position which his right hon. friend occupied in 1812 very nearly resembled that in which he (Mr. Peel) now stood; and that the reasons which his right hon. friend assigned for not joining the government then very much resembled the reasons that actuated him (Mr. Peel) in seceding from the government at present—appeared to have been a little misunderstood. He had, in truth, observed, that the cabinet of 1812 was founded on a principle of equality and perfect fairness; seeing that every member of that government was to be at liberty to vote on the Catholic question according to his own opinions on the matter; and this was apparent from the course of conduct pursued by the late lord Londonderry. His noble friend, on this subject, observed, that he was not demanding securities, for he had the votes against him, of lord Sidmouth and Mr. Perceval; and finally, it appeared, that the government of 1812, had come to exactly the same conclusion on this topic as the present government. Be that as it might, there was one part of his right hon. friend's speech, to which he attached much more importance. It was that in which his right hon. friend had used the word "coincidence," remarking, in a tone not to be misunderstood, that although he did not impute any concert to the parties, yet, by a strange "coincidence," six Protestant resignations were put into his hands at once, while he was reporting to his Majesty on the steps he had been taking for the formation of a new government. Now, it was but justice to those honourable men who were his late colleagues, to prevent any such imputation from being fastened on them. If those resignations were all brought in upon that Thursday, it certainly would have been a most unfortunate coincidence; but he was bound to say, that such was not the fact. On Wednesday, the 10th of April, his right hon. friend received a commission to concoct his new administration. On that very 10th of April, in the evening, he saw his right hon. friend, who said to him, "I am afraid you are not prepared to give me any other answer than that which you have already given me." He answered, that he was not; but he gave in no resignation. On April the 10th, he certainly said, it was impossible for him, he thought, to join a government, the head of which entertained principles on the Catholic question so different from his own. On the same night, the lord Chancellor intimated to his right hon. friend the same conviction. Now, he thought that the lord Chancellor had acted on this occasion a very honourable part; for he observed to him (Mr. Peel), "I have long sought an opportunity to resign. —My time of life has made it necessary that I should do so. A new event has occurred, that enables me to accomplish this wish. Whatever my opinions may be on the Catholic question, it is hardly necessary for me now to re-state them; for the question is merely whether I must revoke an intention I had previously formed of tendering my resignation, or go on acting with a minister, who, upon that question, is most decidedly opposed to me." He further understood the lord Chancellor to say, that although he was thus desirous to resign, he was disposed to remain in office for some few weeks longer, with the intention of delivering some judgments [a laugh].

Mr. Canning said, he did not understand from the lord Chancellor, on the evening of the 10th of April, that it was his intention to resign; and he assured his right hon. friend, that he had received the resignation of that noble lord in the chamber of his Sovereign on the 11th of April, along with the other resignations to which he had adverted.

Mr. Peel, advertting to the shortness of the period between the 10th of April, when these intimations upon his own part and that of the lord Chancellor were first signified, and the 12th, when their resignations were given in, observed, that that was quite enough to account for their accidental delivery at the moment to which the right hon. gentleman had alluded. I am pretty certain (said Mr. Peel), that the letters were written on the 11th or 12th. Lord Westmoreland's letter was dated the 11th, and lords Bathurst's and Melville's on the 12th. These facts, Sir; I think, will show that, however extraordinary the coincidence alluded to by my right hon. friend, the time was too short for concert. But, whether the coincidence was extraordinary or not, I pledge my word, as a man of honour, that the answers were not concerted [hear, hear], and that on Thursday, the 12th, no one of my colleagues said to another "my answer shall be the same as yours," or entered into any communication on the subject that could lead to a concerted arrangement, or imply the existence of any doubt.
or contingency in the minds of parties [hear, hear]. As for the lord Chancellor's decision, what could be more natural? It must, indeed, have been expected. I have heard the sarcasms uttered in this House, that if Catholic emancipation were made a point in the formation of an administration, the lord Chancellor would accede to it rather than give up his place; and I do think it a little hard, now that he adheres to his principles, and refuses office rather than concede them, that he should be charged with joining in a cabal [hear, hear]. Cabal, I do declare, there was none. It ought always to be borne in mind that when lords Bathurst and Melville found that the duke of Wellington, the lord Chancellor, and myself, had already retired from office, they might sincerely doubt whether it was possible that an administration could be formed which would maintain the principles of lord Liverpool. It appears, indeed, to me, by no means impossible that honourable and conscientious men might doubt whether, under such circumstances, with my right hon. friend at the head of the government, it was at all likely those principles would be maintained. I did not see the letters until after they were written; and I declare, upon my honour, that I do not believe they were concerted: and I do hope that, whatever difference of opinion there may be as to the motives of the step taken, it will be considered that I have vindicated myself and my colleagues from the charge ofcaballing against our Sovereign.

The motion for the new writs was then agreed to, and the House adjourned.

HOUSE OF LORDS.
Wednesday, May 2.

This day, the House met pursuant to adjournment: at about a quarter past three o'clock, the lord Chancellor Lyndhurst (late sir John Copley), arrived in state. He was introduced by lords King and Howard de Walden, and took the oaths and his seat. Viscount Goderic (late Mr. Robinson), took the oaths and his seat. He was introduced by lords Melville and Dudley and Ward. Lord Plunkett (late sir W. Plunkett), was introduced by the marquis of Clanricarde and lord Seaforth. Lord Tenterden (late sir C. Abbott), was introduced by lords Beasley and Kenyon, and took the oaths and his seat. His lordship was followed into the House by all the gentlemen of the bar practising in the Court of King's Bench.

At five o'clock, the lord Chancellor again took his seat on the woolsack, and the business of the House commenced. Here, as in the House of Commons yesterday, most of the Opposition members left the benches which they had been so long accustomed to occupy, and took their seats on the Ministerial side. The marquis of Lansdown and lord Holland were on the ministerial bench. Earl Grey and lord Ellenborough remained on the opposition side. The late ministers sat on the cross benches.

THE NEW ADMINISTRATION—EXPONATION OF THE LATE MINISTERS.] Earl Grosvenor (who spoke from the ministerial side) said, that he had two petitions to present to their lordships upon the subject of the Roman Catholic Claims. On presenting these petitions, he would take the opportunity of making a few remarks upon the subject. He certainly thought that this question would not be much longer a subject for the consideration of their lordships. He was quite satisfied that the claims of the Catholics had at least gained something by the change which had taken place in the government of the country. Unfortunately, however, unfavourable prejudices still existed upon the subject. In Ireland those prejudices were almost wholly removed; and in this country he believed—indeed he knew—they had considerably diminished. Still he thought, notwithstanding these circumstances, that the question of the Catholic claims should not be prematurely pressed forward; and he held this opinion, because, as the country had now an administration composed of persons nearly all favourable to the question, and as they formerly had an administration the majority of which was against even entertaining the subject, he thought it would be prudent to pause. The administration was now no longer hostile to the consideration of the subject; for as far as the changes in the government went, they were favourable to the question, but still he should be anxious, under these circumstances, for a little delay before the subject was reconsidered. There was another reason why he wished for delay. It was on account of that circumstance which had been so strenuously urged by these individuals who were hostile to granting
the Catholic claims; namely, the conversion of the Catholics. It had been objected to the friends of the measure for granting relief to the Catholics, that the conversion which was now going forward in Ireland would of itself work such a change in that country, as would put an end to the question. Well then, he would say—upon the supposition that this conversion was actually going on—let time be allowed, in order that their lordships might see what beneficial results were likely to arise from it. Let their lordships wait during the summer, during the autumn, and during the winter. Let them allow that time for this system of conversion to work, and for their lordships to see whether it would put an end to the question. But no man, he was sure, could doubt, that if Parliament were to give to granting relief to the Catholics, that the Catholic claims; namely, the conversion which was now going forward with momentum, there would be scarcely a member of that House, and so by the friends of the measure for having been made to him in the relation in which he stood to the Crown. And he must

Lord Ellenborough said, that the noble earl might, if he thought proper, make volunteer speeches on the Catholic question whenever he presented petitions, though he could not think that the regular course; but of this he was quite sure, that, so long as the administration was constituted as it now was, there never would be any opportunity of discussing the question of Catholic emancipation with advantage. However important the Catholic question was, there was now another question of paramount importance, for it applied not only to the Catholics, but to the country at large. Since the House had last separated, a re-construction of the government had taken place, on what principles, or whether in the absence of all principles, he could not pretend to say (hear, hear). That it had not taken place on any principles which were calculated to give permanence or stability to the new administration, no one who looked at the opposite benches could deny. It appeared that several noble lords had resigned the offices they recently held, and, for having done so, they were most grossly assailed; it being imputed to them, that they had acted in a spirit of unconstitutional dictate to the sovereign, as to the choice of his ministers. It was only due to the unblemished characters of those noble lords, that they should take this, the first opportunity that presented itself, of stating to the House the circumstances attending their resignation [cheers].

The Earl of Eldon then rose. He said, that his majesty's late servants had been charged with having acted in concert, and that for the unpardonable object of dictating to the sovereign what choice he should make in the selection of his constitutional advisers. After having been so long a member of that House, and so long the steady advocate of principles directly opposed to a doctrine so unconstitutional, he hoped he might be permitted to assure their lordships, that this charge was a base and infamous calumny; so far as he himself was concerned, or so far as it might be supposed to apply to those distinguished persons who had retired with him from office. That it could be supposed that he, who had, for so many years, discharged the duties of his office with an honest sincerity of purpose, through evil report and through good report, should have been guilty of the offence of dictating to his sovereign what persons he should choose to form his government, subject, of course, to the constitutional control of both Houses of parliament, was what he never could bear, without telling those who made the charge, that it was a base and gross falsehood [loud cheers]—[His lordship here became sensibly affected.]—He had felt it right, for the sake of the sovereign whom he had served—he had felt it right, as well out of duty to that sovereign himself, as also out of duty to his royal father, whom he had also served—to state, that he never disguised from him his real sentiments on any proposition that might have been made to him in the relation in which he stood to the Crown. And he must
observe, before he proceeded further, that he knew not whether the proposition of a noble earl (Grosvener) could be held good, that capital and conversion would go together. Indeed, he wished that the noble earl were placed at the head of the government, if it were true that capital in money, and conversion in religion, would be co-incident. Should that be the case, then, in the name of God, let the noble earl be minister; but, for his own part, he had seen quite enough to convince him, that the proposition could not be sustained. As to his resignation, he would state it, in the presence of those who knew that he was speaking the truth, that with him the thought of resigning was not a new one. He had, for years back, felt it his duty to consider whether he ought not to have quitted office long before, and, if he had still retained it in opposition to his own inclination, it was only because he had been urged and importuned to do so. Upon this question he had no personal feelings as to the individual who might happen to be placed—at the head of the government. But, if his majesty had a constitutional and uncontrollable right to choose his ministers, no man would honestly discharge his duty, without considering whether, under the selection which his majesty made, he could usefully serve him [hear, hear]. He might be right, or he might be wrong; but, supposing him to be wrong as to the view he took of the great importance of the Catholic question, he would now say, that it ought not to be postponed any longer, but that some decision ought to be come to upon it. He was aware, however, that he himself had, on more than one occasion, been instrumental in postponing it. But he thought the time had now arrived, when some decisive measure ought to be adopted. He must also observe, that he had intended to resign, even if this question had not created any difference of opinion in his majesty's councils. Could he possibly, under such circumstances have continued with honour to hold his situation, or remain in office under any other principle, but that if he could get no better he must submit?—With respect to his principles upon this question of the Catholic claims, as connected with the principles of the right hon. gentleman who was placed in the situation of Prime Minister, giving him credit for having as zealously and candidly entertained the opinion which he held upon the subject as he himself did, he could not see how his accession from office could be inconvenient to that right hon. gentleman. As far as private feelings could have influenced him to change the opinion which he had formed, he certainly would often have wished to change that opinion. He had considered the questions over and over again, but he found it impossible to change his opinion; and though he had known it possible for him to serve in administration with such a man at the head of it as lord Liverpool, yet with an administration with the present Prime Minister (and he wished to speak with respect of that gentleman, giving him full credit for the sincerity of his opinion), when the question was with him, whether he should relinquish his purpose of resigning and go on with the administration, he found that he could not do it. He thought it his duty to state to some members of that House, towards whom he had every sentiment of regard, and who he knew entertained a contrary opinion to what he did, his own opinion; which was, that if the question of the Catholic claims should be carried, there was an end to the religious liberties of this country, and that with the destruction of those religious liberties, the civil liberties must cease also; and to his dying day he should support that opinion. He could not, therefore, after having formed such an opinion, conscientiously give in to those views, which must be the views of the Prime Minister, of granting the claims of the Catholics, whether those views were to be carried into immediate execution, or whether they were to be suspended, for the purpose for which they only could be suspended, of more effectually securing the success of that question. Under such circumstances, it was impossible for him to be part of the government. As far as himself, it had been stated that he had consulted with another person in settling in his resignation. The person alluded to was a gentleman for whom he entertained the sincerest regard and esteem; and he thought it no less than his duty to say, that that gentleman knew nothing at all about his sending in his resignation. He believed the same to be the case with respect to the other persons who had sent in their resignations. He believed that if the matter had been taken into a course of justice, it would have been shown out of the court, before any thing had been offered in defence. He had understood that the
writes were to have been moved on the Thursday before the holidays, and he had made up his mind if that measure should take place, then to send in his resignation. His intention had been long formed upon the subject. The letter which informed him who it was that was to be Prime Minister, stated in one single word, that the administration had been formed upon the principles of the administration of Lord Liverpool. He never could agree that the administration was formed upon similar principles. Lord Liverpool's administration was formed upon principles totally different from those upon which the present one was formed. The earl of Liverpool, he recollected, was as zealous, honest, and candid an opponent of the Catholic claims, as he gave full credit to the right hon. gentleman who was now Prime Minister, for being a zealous, honest, and candid supporter of those claims. He had only to say that the communications made by these noble personages to whom he had before alluded, were made without any concert with him. He knew nothing of them whatever; and, under such circumstances, he thought every candid man would admit, that there was an end of the charge of concert, as far as he was concerned. There was, in his opinion, no censure too harsh for the man who should presume to dictate to his majesty, as to the choice of his ministers; but at the same time he must say, that if that man were asked by his majesty for his advice on the subject, no censure would be too harsh for him, if he refused to tender to his Sovereign his honest and sincere advice. If there were any persons who advocated a contrary opinion, he was proud to say that he was not to be found in their number; nay, he would add further, that more unpardonable conduct had been falsely attributed to him than had ever been exhibited by any individual towards his Sovereign. If their lordships gave him any credit for sincerity, they would believe the statement which he had just made to them. He assured their lordships, that there was no consideration which would induce him to withhold his efforts to preserve the constitution, as settled at the Revolution, for the sake of our religion, our laws, and our liberties—our civil and religious liberties—which must co-exist or perish together. He could not lay aside the benefits of that experience which we had gained previously to that settlement,—a settlement which, when originally made, received the sanction of those individuals whose descendants were now most anxious to overturn it. His whole life had been devoted to the defence of that constitution, and to the resistance of the concessions now proposed to be given to the Catholics; because he had been convinced from his youth upwards, that ecclesiastical tyranny produced civil tyranny likewise; and because he was satisfied, that unless ecclesiastical liberty was preserved, civil liberty was endangered,—a fact which had been proved to demonstration by the events of the last four years. In the opinions which he had formed upon this question, he might be wrong; indeed, he would not pretend to say that he was fully satisfied with this—that his own light had governed his own conduct, and that he had acted throughout with the utmost sincerity and consistency. He trusted that as he had never doubted the sincerity of noble lords, whilst they were supporting opinions opposed to his own, their lordships would not doubt at present of the sincerity of his motives. He trusted that he might be permitted to conclude with the sincere expression of the obligations which he owed to their lordships, for the kindness with which they had always supported him in the discharge of the arduous duties which he had just resigned. He begged their lordships to believe that he felt the deepest gratitude for the forbearance which they had uniformly shown to his failings and his feelings in that House; and assured them that he should never lose a sense of it, so long as he retained the functions of memory [hear, hear].

The Duke of Wellington rose, and spoke as follows: *

My Lords: I do not intend to trouble your lordships with a discussion on the subject of this petition, or to dispute with the noble lord (Grosvenor) whether the petitioners, seeking for further concessions to the Roman Catholics, have chosen the time most propitious to the prayer of their petition, considering that the administration are favourably disposed to grant such concessions; but my object in claiming your lordships' attention is, to answer the call of the noble baron on my right.

There is no man more sensible than I

* From the original edition printed for Hatchard and Son, Piccadilly,
am, that the House of Lords have nothing to say to the changes which may take place in his majesty's councils. It is his majesty's prerogative to appoint his own ministers, and to change them as he pleases; and the House of Lords cannot take into consideration the special circumstances under which such changes have been made, except in particular cases, in which an administration has been removed in consequence of an address from this House. I have, therefore, to apologize to your lordships for taking up your time upon this subject, for which my only excuse is the manner in which I have been treated by the corrupt press, in the pay of the government.

I do not mean to attribute this misconduct to the noble lords personally (the ministers sitting in the House); but the fact is certain, that I have been accused, in these recent transactions, of conspiracy, combination, dictation to my sovereign, and nearly every crime, short of high treason, of a subject could commit; availing the cabinet; secondly, my resignation of the command of the army. I do not consider that I have any right to reveal any fact mentioned to me in conversation, which was not like-wise mentioned to others. I must trouble your lordships with some details upon this subject; but your lordships may rely upon it that I will detain you as short a time as possible.

On the evening of the 10th of April, I received from the right hon. gentleman now at the head of his majesty's councils, a letter, which I am about to read to the House.

"Foreign Office, April 10th, 6 P.M. 1817.

"My Dear Duke of Wellington.—The king has, at an audience, from which I am just returned, been graciously pleased to signify to me his majesty's commands, to lay before his majesty, with as little loss of time as possible, a plan of arrangements for the reconstruction of the administration.—In executing these commands it will be as much my own wish, as it is my duty to his majesty, to adhere to the principles on which lord Liverpool's government has so long acted together.—I need not add how essentially the accomplishment must depend upon your grace's continuing a member of the cabinet.

"Ever, my dear Duke of Wellington, your Grace's sincere and faithful servant,

"GEORGE CANNING."

"To his Grace the Duke of Wellington."

"I beg your lordships will observe, that this letter does not state of whom it was intended that the proposed administration should be formed, although I have since learned that that information was conveyed to my colleagues; nor who was to be at the head of the government; nor was I invited, as others were, to receive further explanations, nor referred to any body who could give such; nor indeed did I consider the invitation that I should belong to the cabinet, to be conveyed in those terms to which I had been accustomed in my constant intercourse with the right hon. gentleman up to that moment, nor to have been calculated to induce me to continue in the administration about to be formed. I was determined, however, that I would not allow such considerations to influence my answer; and I wrote to the right hon. gentleman, on the same night, what I am about to read to the House.

"London, April 10th, 1817.

"My Dear Mr. Canning:—I have received your letter of this evening, informing me that the king had desired you to lay before his majesty a plan for the reconstruction of the administration; and that, in executing these commands, it was your wish to adhere to the principles on which lord Liverpool's government had so long acted together.—I anxiously desire to be able to serve his majesty, as I have done hitherto in his cabinet, with the same colleagues. But before I can give an answer to your obliging proposition, I should wish to know who the person is whom you intend to propose to his majesty as the head of the government?

"Ever, my dear Mr. Canning, your's most sincerely,

"WELLINGTON."

"The Right Hon. George Canning."

The House will observe, that I expressed my anxious desire to form part of a cabinet, with "the same colleagues"—the right hon. gentleman having omitted all mention of colleagues in his letter to me—
but that I postponed to give my answer, to what I termed his "obliging proposition" (although I think it was scarcely an invitation) till I should learn the name of the person intended to be recommended by the right hon. gentleman to his majesty as the head of the administration. To this note the right hon. gentleman wrote me, on the afternoon of the 11th, the answer which I am about to read to the House.

"My Dear Duke of Wellington:—I believed it to be so generally understood, that the king usually intrusts the formation of an administration to the individual whom it is his majesty's gracious intention to place at the head of it; that it did not occur to me, when I communicated to your grace yesterday the commands which I had just received from his majesty, to add, that, in the present instance, his majesty does not intend to depart from the usual course of proceedings on such occasions.—I am sorry to have delayed some hours this answer to your grace's letter; but from the nature of the subject, I did not like to forward it without having previously submitted it (together with your grace's letter) to his majesty.

"Ever, my dear Duke of Wellington, your grace's sincere and faithful servant.

"GEOBOE CANNING."

I will postpone my observations upon this answer for a few minutes, and I will only request the House to remark here, that it was not calculated to remove all the reasons stated in this letter; but that it was not made against me. I am accused of having deserted and abandoned my sovereign. My lords, I am much mistaken if experience does not prove hereafter that I was quite right.

But before I go into the discussion of my reasons for resigning the command of the army, I will address a few words to your lordships, upon the charges which have been made against me.

I am accused of having deserted and abandoned my sovereign. My lords, I have always considered that the most important of all the acts which the sovereign of this country has to perform, is the choice of his ministers; and most parti-
just returned, been graciously pleased to signify to me his majesty's commands, to lay before his majesty, with as little loss of time as possible, a plan of arrangements for the reconstruction of the administration.—In executing these commands it

will be as much my own wish, as it is my duty to his majesty, to adhere to the principles on which lord Liverpool's government has so long acted together.—I need not add how essentially the accomplishment must depend upon your grace's continuing a member of the cabinet.

"Ever, my dear Duke of Wellington, your Grace's sincere and faithful servant,"

"GEORGE CANNING."

"To his Grace the Duke of Wellington."

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"London, April 10, 1827."

"My Dear Mr. Canning:—I have received your letter of this evening, informing me that the king had desired you to lay before his majesty a plan for the reconstruction of the administration; and that, in executing these commands, it was your wish to adhere to the principles on which lord Liverpool's government had so long acted together.—I anxiously desire to be able to serve his majesty, as I have done hitherto in his cabinet, with the same colleagues. But before I can give an answer to your obliging proposition, I should wish to know who the person is whom you intend to propose to his majesty as the head of the government?

"Ever, my dear Mr. Canning, your's most sincerely,

"WELLINGTON.""

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"My Dear Duke of Wellington:—I believed it to be so generally understood, that the king usually intrusts the formation of an administration to the individual whom it is his majesty's gracious intention to place at the head of it; that it did not occur to me, when I communicated to your grace yesterday the commands which I had just received from his majesty, to add, that, in the present instance, his majesty does not intend to depart from the usual course of proceedings on such occasions. I am sorry to have delayed some hours this answer to your grace's letter; but from the nature of the subject, I did not like to forward it without having previously submitted it (together with your grace's letter) to his majesty.

"Ever, my dear Duke of Wellington, your grace's sincere and faithful servant,

"George Canning."

"His Grace the Duke of Wellington."

I will postpone my observations upon this answer for a few minutes, and I will only request the House to remark here, that it was not calculated to remove the impression which the right hon. gentleman's first letter had made upon my mind; namely, that he did not wish me to belong to his cabinet.

However, as the House will observe from my reply, that impression was not the reason which influenced my conduct in desiring to retire from the cabinet; nor did that impression, or the tone and temper of the right hon. gentleman's letters to me, influence the tone and temper of my answers to the right hon. gentleman. This is what I wrote to him, in answer to his letter of the 11th.

"London, April 11, 1827.

"My Dear Mr. Canning:—I have received your letter of this day; and I did not understand the one of yesterday evening as you have now explained it to me. I understood from yourself, that you had had in contemplation another arrange-
than I did. I would appeal to the noble lords (the ministers present), whether I ever made difficulties, or ever acted otherwise than with a view to accommodate differences of opinion. Then, my lords, if I took a hasty or interperate view of this case, I ask them why they did not come forward and render me the service, which I had more than once rendered to others, by representing to me that I was wrong?

Such a step has never been taken by them; and the reason is obvious; it did not suit the right hon. gentleman's views, that I should remain in command of the army, unless I should belong to his cabinet. I beg pardon for troubling your lordships at such length upon a question personal to myself; and I return my best thanks for the attention with which you have listened to what I have had occasion to address to you.

Lord Bexley said, he entirely acquitted the noble duke, and those other members of the late administration who had resigned, of anything like a conspiracy. The grounds upon which he himself had felt called on to resign were, that he had reason to believe the same latitude would not be given to the members of the new cabinet, in respect of the Catholic question, which had been enjoyed by those who constituted lord Liverpool's ministry. On this subject, however, appeared, that he had been mistaken; and as soon as he was undeceived, he hastened to retract the step into which incorrect intelligence had betrayed him.

The Earl of Mansfield began, by disclaiming the influence of individual feelings. He expressed considerable doubts as to the wisdom of the course pursued by those members of the late cabinet, who professed to advocate the Protestant cause. He believed, that, if their communications had been more unreserved towards their adherents in the country, they would have been ably backed by those adherents, and by a large majority of their lordships' Houses, to make representations to his majesty, of such weight, as would have induced the king to form a mixed administration, in which Protestant principles should have decidedly predominated. He gave them full credit, for having acted most honourably; but he entertained considerable doubts, whether their conduct deserved to be called judicial. They either foresaw its consequences or they did not. If the former, they could have but little claim to sagacity; and, if the latter, still less. Still, he begged to assure the noble duke, and the noble and learned earl near him, that his general respect for both was not on that account diminished. Their long and distinguished services could never be remembered otherwise than with gratitude; nor were his sentiments different with respect to a right hon. gentleman, the late Secretary for the Home Department. In reference to the noble and learned earl, he felt it impossible to do justice to his eminent services. He would fain express the deep regret which filled his mind in contemplating the retirement of that illustrious individual. The common vice was to worship the rising sun, and to be forgetful of the benefits of the sun that was setting. Nothing, however, but their presence, could, in his case, cripple the just meed of praise to which they were both entitled. Ungrateful, indeed, must the country be, if it could ever cease to recollect, that its present pre-eminence was more owing to the noble duke, than to any individual that could be named. As to the noble earl, who had so long been at the head of a profession, for which he entertained peculiar respect—his services, his great talents, his political character, his discrimination as a judge, his ability as a legislator, were, he had the satisfaction to think, duly appreciated in that House, and by the best portion of society at large. When party feelings had subsided, and calumny was at an end, posterity, a rigid censor, but impartial judge, would do him tardy justice. As to the late Home Secretary, he had, in another place, explained the principles and motives of his conduct, and it was satisfactory to think, that, through the agency of the public press, they would be made known in every corner of the empire. The strongest eulogium which it would be possible to pronounce on that right hon. gentleman, was the regret expressed by the late Foreign Secretary, and the hope which he appeared to indulge, that the services of the former would not be permanently lost to the country. However, whether that right hon. gentleman remained out of office, or resumed his place in the councils of the king, he could never cease to repose in his honourable consistency and zeal the fullest reliance. Unfortunately for himself and the country, he had the fault of too much diffidence in his own talents, and in esti-
meting the degree of consideration which he enjoyed in the country. In his disinterested mind there was the most perfect absence of all selfish feeling; nor was he less distinguished for the most unassuming modesty—a quality most rare amongst minds so highly gifted as was that of the right hon. gentleman. But, enough of resignations—he would now apply himself to the new ministry. According to accounts which had gone abroad, the right hon. gentleman, now first lord of the Treasury, had, amongst other suggestions on the subject of an administration, proposed, that one purely Protestant should be formed. Now, the only motive that he could conceive for this proposition was, that the right hon. gentleman meant to set them up as a party merely for the pleasure of knocking them down again. He was afterwards, as it was stated, commissioned to form another administration; and then be stated, that he received the resignations of several amongst his colleagues with regret and with surprise. Considering the conversation he had had with the noble duke, and with several other individuals, it was scarcely saying too much to affirm, that such surprise did by so means naturally arise out of the circumstances; and further, it would not be forgotten, that, up to the moment of the noble duke's application, the right hon. gentleman did not appear to know that he was to be placed at the head of his majesty's government. Now, he should be very unwilling to ask the right hon. gentleman to tell that which he did not know; but he should like extremely to have his guess on the subject. He should like to learn who it was that "in the porches of the royal ear, did pour the leperous distillment;" poisoning it against those who had before enjoyed the confidence of their Sovereign. He had heard much of what had recently been done; and as far as what had taken place arose from the words and acts of his majesty, it was not a subject for inquiry; but it might be inquired, whether the words and acts of his majesty were not the words and acts of his ministers. In a constitutional point of view, of course, the king could not do that which should be made the subject of blame; but he might be made accessory to that which was blamable in others, and of which he himself was to be the victim. During the lifetime of the Sovereign his acts were constitutionally exempted from censure; but when once the tomb closed upon kings, their character became the property of history. The public knew their character, and would often judge from what they had done, that which they would be likely to do under particular circumstances. Applying this to the character of his late majesty, he would suppose that it had been proposed to him to form an administration; it would not be difficult to suppose that he objected to a divided Cabinet, on one important subject; but it would be difficult to suppose that he would give his assent to the formation of such a cabinet, unless the preponderance was decidedly Protestant. Yet, if even that were the case, and it was proposed to his majesty to place at the head of such a cabinet the right hon. gentleman (Mr. Canning) who had been the constant, zealous, and most able, advocate of a principle to which his majesty was hostile, was there any man who could doubt, that such a proposition would have been instantly rejected? Had it been at the same time proposed to his majesty to place at the head of the government of Ireland—to place as Secretary for the Home Department—individuals distinguished for their constant support of the question of emancipation, to which his majesty had declared his conscientious hostility, was there any reason to doubt that those propositions would not have been refused? Suppose, again, it were proposed to his late majesty to elevate to noble rank, and to place as lord Chancellor of Ireland, one of the most brilliant advocates of that measure to which he had so strong an objection, could his majesty's refusal of the proposition be doubted for an instant? those who knew his majesty's character and sentiments, could have no hesitation in stating what his determination would have been in those cases. Still less could they doubt it, after they had learned that his majesty had had an interview with the archbishop of Canterbury, and had authorised him to convey to his right rev. brethren his determination to exclude from a preponderance in his councils those who supported a measure which he could not conscientiously approve, and that that impression had gone abroad through the country, and was hailed with unmixt satisfaction. If, however, after such opinions had been expressed, it was found that his majesty had been advised, and had acted on the advice, to take a different course on all those points, it would
than I did. I would appeal to the noble lords (the ministers present), whether I ever made difficulties, or ever acted otherwise than with a view to accommodate differences of opinion. Then, my lords, if I took a hasty or intemperate view of this case, I ask them why they did not come forward and render me the service, which I had more than once rendered to others, by representing to me that I was wrong?

Such a step has never been taken by them; and the reason is obvious; it did not suit the right hon. gentleman's views, that I should remain in command of the army, unless I should belong to his cabinet. I beg pardon for troubling your lordships at such length upon a question personal to myself; and I return my best thanks for the attention with which you have listened to what I have had occasion to address to you.

Lord Beauley said, he entirely acquitted the noble duke, and those other members of the late administration who had resigned, of anything like a conspiracy. The grounds upon which he himself had felt called on to resign were, that he had reason to believe the same latitude would not be given to the members of the new cabinet, in respect of the Catholic question, which had been enjoyed by those who constituted lord Liverpool's ministry. On this subject it, however, appeared, that he had been mistaken; and as soon as he was undeceived, he hastened to retract the step into which incorrect intelligence had betrayed him.

The Earl of Mansfield began, by disclaiming the influence of individual feelings. He expressed considerable doubts as to the wisdom of the course pursued by those members of the late cabinet, who professed to advocate the Protestant cause. He believed, that, if their communications had been more unreserved towards their adherents in the country, they would have been ably backed by those adherents, and by a large majority of their lordships' House, to make representations to his majesty, of such weight, as would have induced the king to form a mixed administration, in which Protestant principles should have decidedly predominated. He gave them full credit, for having acted most honourably; but he entertained considerable doubts, whether their conduct deserved to be called judicious. They neither foresaw its consequences or they did not. If the former, they could have but little claim to sagacity; and, if the latter, still less. Still, he begged to assure the noble duke, and the noble and learned earl near him, that his general respect for both was not on that account diminished. Their long and distinguished services could never be remembered otherwise than with gratitude; nor were his sentiments different with respect to a right hon. gentleman, the late Secretary for the Home Department. In reference to the noble and learned earl, he felt it impossible to do justice to his eminence services. He would fain express the deep regret which filled his mind in contemplating the retirement of that illustrious individual. The common service was to worship the rising sun, and to be forgetful of the benefits of the sea that was setting. Nothing, however, but their presence, could, in his case, cripple the just need of praise to which they were both entitled. Ungrateful, indeed, must the country be, if it could ever cease to recollect, that its present pre-eminence was more owing to the noble duke, than to any individual that could be named. As to the noble earl, who had so long been at the head of a profession, for which he entertained peculiar respect—his services, his great talents, his political character, his discrimination as a judge, his ability as a legislator, were, he had the satisfaction to think, duly appreciated in that House, and by the best portion of society at large. When party feelings had subsided, and calumny was at an end, posterity, a rigid censor, but impartial judge, would do him justice. As to the late Home Secretary, he had, in another place, explained the principles and motives of his conduct, and it was satisfactory to think, that, through the agency of the public press, they would be made known in every corner of the empire. The strongest eulogium which it would be possible to pronounce on that right hon. gentleman, was the regret expressed by the late Foreign Secretary, and the hope which he appeared to indulge, that the services of the former would not be permanently lost to the country. However, whether that right hon. gentleman remained out of office, or resumed his place in the councils of the kine, he could never cease to repose in his honourable consistency and zeal the fullest reliance. Unfortunately for himself and the country, he had the fault of too much diffidence in his own talents, and in esti-
Exposition of the late Ministers.

MAY 2, 1827.

this admission, I cannot but express my opinion, that my noble friends, when they felt it their duty to withdraw their services from the Crown, adopted that course at the very moment, of all others, when the circumstances of the country and of the government made it peculiarly desirable that they should continue to render them. However, I am well aware that a right hon. friend of mine, the late Secretary for the Home Department, felt himself placed in so peculiar a situation, with regard to the Catholic question, that it would have been impossible for him to continue a member of a cabinet, the individual at the head of which was favourable to Catholic emancipation. The scruples of my right hon. friend are, perhaps, capable of being accounted for, and were certainly only in strict consistency with the entire tenor of his previous conduct; but I confess I was not prepared for the adoption of a similar course, by other noble individuals. I say this, my lords, because I cannot believe that the principle of lord Liverpool's administration was one of perpetual and unconditional exclusion towards any body of men in this country; and, because those noble individuals felt no difficulty in cooperating with the government, at the head of which was placed the distinguished individual whom I have named. So far from that administration having been constituted on any such principle, I can say, for myself, as I am certain I can, with perfect confidence, declare, on the part of my right hon. friend, now at the head of the cabinet, that if I had conceived that such was the principle of lord Liverpool's administration, I would not have supported it, or made one of its members. I should at once have objected to any such principle; and, feeling as I do, that it is a principle on which a government ought not to be founded, I should also have, unconditionally, declined joining a cabinet so constituted. My noble friend has stated, that he was informed by my right hon. friend at the head of the Treasury, that it was at one time intended to propose to his majesty to place the individual who now addresses your lordships at the head of the government. My lords, this would have been to me an honour as unexpected as unmerited—an honour, and a responsibility, which (high as they are) no consideration on earth could have tempted me to undertake, except the hope that I might thereby be made the instrument of keeping together the constituent elements of an administration, which has been so unhappily dispersed. But, my lords, the proposition is one of which I never, until the present moment, heard, and I am, therefore, in no degree responsible for it. As it is a plan of which I had no knowledge, I have nothing to do with the consequences which may be supposed to have resulted from its not having been put into execution.—My noble friends complain of having been assailed by the basest misrepresentation and calumny. My lords, whatever may be the calumny or misrepresentation which they have endured, I can declare, with the utmost sincerity, that it finds no responsive feeling in my mind. It is unnecessary for me to declare, that of any such attacks I can be neither a patron nor a partizan. When it is added—as it has been added—that, in the attacks which are complained of, the press has been under the influence of the government, I take leave, my lords, in a manner the most distinct and unqualified, totally to deny the assertion. I will go further than this, and add, that, from what I know of the character of the public press, and the connection subsisting between it and the government, I have no hesitation in expressing my opinion, that the press is an engine by far too powerful and too independent to be made use of in the way alluded to; even if the government were disposed, which it is not, to make the attempt [hear! and a laugh, from the Opposition Benches]. Noble lords may laugh; but if they were again sitting on this side of the House—I say, if they were here, and had to settle the question of influence—I will add of independence—with the press, they would soon ascertain their error, and find it an instrument too powerful to be so readily controlled. My lords, I regret the secession of my noble friends, from the bottom of my soul: but I do not impugn the integrity of their motives. I do not impute to them confederacy—I impute nothing, I do not impute to them factious motives, I cannot bring myself to believe it possible, I do not impute to them concert or conspiracy—I impute no such thing. I am rather disposed to say, that difficulties and differences arose out of a difficult case, and that the separation which I lament, has been mainly attributable to want of sufficient concert and communication. More communication might, I
no doubt be an object of interesting and important inquiry, to know by whom that advice had been given, and on what ground.

—He would now say a word as to who were the ministers. On this point they learned from the press, that some of those individuals were only like the doubles in the French theatre, holding the place of the real characters which were afterwards to appear. The rapidity with which the right hon. gentleman who formed the cabinet, when disappointed in one quarter turned to another, his junction with the Whigs, at the very moment that he parted from his Tory friends, must have reminded them of the quotation in the Anti-Jacobin, "A sudden thought strikes me! let us swear eternal friendship." The coalition thus formed had been described as "unnatural and unprecedented." Unprecedented it might be in some respects; but for his part, he thought it was very natural and justifiable; but he had his doubts whether it was quite sudden. Those who had marked the progress of circumstances for some time past, must have looked upon this coalition as very natural. Its approach might have been perceived in many of the recent measures, where the opinions of one side of the House were patronized and adopted by the other, and where, from day to day, the approaches in one quarter were very favourably received by the other. The coalition, then, whatever might be thought of it in other respects, could not be said to be unnatural.—But, leaving this junction to work its way, there was one great point to which he was anxious, before he concluded, to call their lordships' attention: that was the Catholic question. It would be recollected, that that measure had been proposed in the other House; though it was withdrawn in their lordships'. It was, he believed, understood, that it was not the intention of the right hon. gentleman at the head of the government to introduce it at present. The Catholics of Ireland were advised; and their priests would repeat the advice, to observe for the present a morbid and lethargic stillness, "to seem like the flower, but be the serpent under it." But were they weak enough to suppose, that the friends of the constitution would wait for the time when it might be the pleasure of the other party to assail its best safeguard? They could not wait till the right hon. gentleman might have it in his power to introduce into their lordships' house, men able to enforce his measures, and give the weight of their support to his opinions. He, therefore, feared he should be compelled to submit to their lordships' consideration, a motion, the precise terms of which he would not now state, but the object of which would be, to call for an expression of their lordships' opinion on the subject of Catholic emancipation, in the most explicit manner. On the 4th of June, he should propose a resolution in favour of Catholic emancipation, to the fullest extent that any such resolution had ever been carried; or, if that were not agreed to, move the House for an address to his majesty to elicit a declaration from the Crown, of a contrary tendency—such as it befitted a Protestant parliament to suggest—such as no king since James the 2nd had ever been advised to refuse yet such as the right hon. gentleman, now at the head of the Treasury, must, if he continued to hold office, advise his majesty to refuse.

Viscount Goderich (late the right hon. Frederick Robinson) rose, and spoke to the following effect:—My lords, I feel called upon, indeed compelled, to address your lordships, upon the subject which has been this evening brought under your consideration; and in doing so, I am free to admit I feel no small degree of anxiety; an anxiety arising, partly from the nature of the subject itself; and partly from the circumstance of my now having to address your lordships for the first time. It were worse than vain for me to deny, or attempt to conceal, the unaffected and undisguised pain with which I feel myself forced to address myself to this subject. I trust it is unnecessary for me to declare, that there does not exist in my mind the most trifling particle of ill-feeling or animosity towards the noble and right honourable individuals in question, for the course which they have thought fit to take on the present occasion. On the contrary, it is with the most perfect sincerity I can say, that I feel for those distinguished individuals as much respect and regard as the greatest of their admirers can do. My lords, I address myself with the greatest sorrow—the most unfeigned regret—to this question; and I am free to confess, that it is not without similar feelings that I have been able to witness the separation from his majesty's government, of men with whom, for years, I have been proud to act, not only as colleagues but as friends. But, my lords, at the same time that I make
this admission, I cannot but express my opinion, that my noble friends, when they felt it their duty to withdraw their services from the Crown, adopted that course at the very moment, of all others, when the circumstances of the country and of the government made it peculiarly desirable that they should continue to render them. However, I am well aware that a right hon. friend of mine, the late Secretary for the Home Department, felt himself placed in so peculiar a situation, with regard to the Catholic question, that it would have been impossible for him to continue a member of a cabinet, the individual at the head of which was favourable to Catholic emancipation. The scruples of my right hon. friend are, perhaps, capable of being accounted for, and were certainly only in strict consistency with the entire tenor of his previous conduct; but I confess I was not prepared for the adoption of a similar course, by other noble individuals. I say this, my lords, because I cannot believe that the principle of lord Liverpool's administration was one of perpetual and unconditional exclusion towards any body of men in this country; and, because those noble individuals felt no difficulty in cooperating with the government, at the head of which was placed the distinguished individual whom I have named. So far from that administration having been constituted on any such principle, I can say, for myself, as I am certain I can, with perfect confidence, declare, on the part of my right hon. friend, now at the head of the cabinet, that if I had conceived that such was the principle of lord Liverpool's administration, I would not have supported it, or made one of its members. I should at once have objected to any such principle; and, feeling as I do, that it is a principle on which a government ought not to be founded, I should also have, unconditionally, declined joining a cabinet so constituted. My noble friend has stated, that he was informed by my right hon. friend at the head of the Treasury, that it was at one time intended to propose to his majesty to place the individual who now addresses your lordships at the head of the government. My lords, this would have been to me an honour as unexpected as unmerited—an honour, and a responsibility, which (high as they are) no consideration on earth could have tempted me to undertake, except the hope that I might thereby be made the instrument of keeping together the constituent elements of an administration, which has been so unhappily dispersed. But, my lords, the proposition is one of which I never, until the present moment, heard, and I am, therefore, in no degree responsible for it. As it is a plan of which I had no knowledge, I have nothing to do with the consequences which may be supposed to have resulted from its not having been put into execution.—My noble friends complain of having been assailed by the basest misrepresentation and calumny. My lords, whatever may be the calumny or misrepresentation which they have endured, I can declare, with the utmost sincerity, that it finds no responsive feeling in my mind. It is unnecessary for me to declare, that of any such attacks I can be neither a patron nor a partizan. When it is added—as it has been added—that, in the attacks which are complained of, the press has been under the influence of the government, I take leave, my lords, in a manner the most distinct and unqualified, totally to deny the assertion. I will go further than this, and add, that, from what I know of the character of the public press, and the connection subsisting between it and the government, I have no hesitation in expressing my opinion, that the press is an engine by far too powerful and too independent to be made use of in the way alluded to; even if the government were disposed, which it is not, to make the attempt [hear! and a laugh, from the Opposition Benches]. Noble lords may laugh; but if they were again sitting on this side of the House—I say, if they were here, and had to settle the question of influence—I will add of independence—with the press, they would soon ascertain their error, and find it an instrument too powerful to be so readily controlled. My lords, I regret the secession of my noble friends, from the bottom of my soul: but I do not impugn the integrity of their motives. I do not impute to them confederacy—I impute nothing, I do not impute to them factious motives, I cannot bring myself to believe it possible, I do not impute to them concert or conspiracy—I impute no such thing. I am rather disposed to say, that difficulties and differences arose out of a difficult case, and that the separation which I lament, has been mainly attributable to want of sufficient concert and communication. More communication might, I
am satisfied, have prevented much of what I must ever call the mischief that has arisen out of the dissolution of the late administra-
tion. When my right hon. friend, who is now at the head of the Treasury, communicated to me, that he had received the commands of his majesty to form an administration, and asked me to constitute a part of it, I felt it to be my duty to state, that I should obey his majesty's commands, and remain a member of the cabinet. My lords, I did this, because I felt that the administration which had subsisted for the last fifteen years, and which had been formed on the basis of leaving the Catholic question a question of neutrality, open to each individual of the ministry to form his own judgment upon, was an administration that had been proved to be beneficial to the country. My lords, I found that the government so constituted, had been successfully carried on, under circumstances of no ordinary difficulty and danger; and further, my lords, that it had carried the country through those dangers and difficulties, in a manner that had been seldom equalled, and never surpassed. I found that administration possessing the concurrence and confidence of the king, the two Houses of Parliament, and I believe I may add, of the country at large. Under these circumstances, I saw no reason to doubt that if the administration, though it had lost its leader, remained united as heretofore, it might continue to effect similar purposes, prove equally popular, and forward the interests of the country, while it secured the confidence of the sovereign. Therefore it was, my lords, that, without asking my right hon. friend what others intended to do, I replied to the communication which had been made to me, by stating that my humble services were at his majesty's command. Having no feeling existing in my mind against taking office under the right hon. gentleman who is now first commis-
sioner of the Treasury, I felt, my lords, that it would be equally base and inconsis-
tent in me to make my consent contingent on the accepting or rejection of office by other members of the late cabinet, who, taking a different view of circumstances from myself, could offer no reason for reti-
ting in which I could concur. My lords, their objection that the individual pro-
posed to be placed at the head of the cabinet was favourable to the adjustment of the Catholic claims, was to be no ob-
section whatever; and it was, therefore, impossible that I should make common cause with them. My noble friend, who spoke last, has alluded to the present state of the government—a state at which he has expressed his dissatisfaction in no measured terms of condemnation. All I can say, in answer to the noble lord's com-
plaints is, that if the government is not satisfactory to my noble friends, it is no fault of ours, but rather of those who have separated themselves from us. The object of my right hon. friend now at the head of the cabinet was, to keep together the elements of lord Liverpool's govern-
ment; and when they were dissipated, it was by no act of his. When the noble individuals withdrew themselves from amongst us, in what situation were we placed? Was my right hon. friend to go to his majesty and say, "Sire, you have laid upon me your royal commands to form an administration; but I can make no attempt to form one?" Was my right hon. friend to say, "I will run away from the post assigned me by his majesty," and, by so doing, leave his majesty in a predicament, such as no sovereign was ever placed in before? My lords, my right hon. friend had no other alternative than to act as he has acted; and, I may add, his majesty had no other resource—for it is a notorious and undoubted fact, that the indi-
viduals who are understood to be adverse to the Catholic cause would not consent to form a government, when applied to do so, on the principle of opposition to the Roman Catholics. In what situation, then, was his majesty placed? The king could not have recourse to those individuals in the formation of an administration, for they had refused their support and assistance to the sovereign, who was, therefore, driven, by the refusal, to take other steps, and deal with persons professing different principles. The opponents of the Catholics would neither take office themselves in an administration conducted on the principle of exclusion, nor unite with us in one framed on principles of neutrality. My lords, under such circumstances, I do not know on what principle we could have said to his majesty, "We will make no effort, in compliance with your majesty's desires, to conduct a Government on the same principles of a divided Cabinet as before." Be the evils of a cabinet divided on a question of great national importance what they may—(and, my lords, I am no
the man to shut my eyes to (or deny their existence)—I say we have the most unequivocal proof in the history of the government, during the last fifteen years, that a cabinet so constructed can act with advantage to the state; and, further, my lords, that the country is prepared to support a cabinet founded upon these principles. The noble earl who last addressed your lordships, animadverted, with a mixture of asperity in the expression, and obscurity in the conduct of the existing government, and the union which has taken place between certain individuals who compose the administration. At the same time the noble earl admits, that what he is pleased to call "the coalition" is "neither unnatural nor unprecedented," and yet it comes in for so moderate share of his indignation. The noble earl declares, that he has looked with suspicion on the conduct of the government for some years back, because within that period, they have succeeded in conciliating to themselves persons professing opinions, to which they had been formerly opposed. This is the ground of my noble friend's suspicious apprehension of the conduct of the cabinet, and the inference from it is equally disgraceful to our principles and our feelings; as if we had compromised our public conduct, and sacrificed our honour, for the sake of getting a little ease to ourselves, in carrying into effect the measures of our administration! My lords, I at once saw to what the noble earl alluded—I was aware he meant those subjects of internal policy which I had introduced, and which caused so much debate and discussion, as well in this place as in the other House of Parliament. I readily admit, my lords, that I am the individual, who of all others, whether in his majesty's government or out of it, am peculiarly to blame for the introduction of these measures into this country—if the measures be in themselves blameworthy. What I have done in this respect I have done sincerely; and if I am wrong, let me alone be blamed for it. My lords, if the system be erroneous, let it be retraced; but let not the blame be thrown on individuals who are not its authors. Author of the system I have not the vanity to call myself; for it can scarcely be termed original. But, my lords, I am ready to admit, that I have, from time to time, endeavoured to avail myself of the earliest and most favourable opportunity to introduce into the system of our existing regulations, what has been mistakenly called, by my opponents, innovation, but which really was neither more nor less than an attempt to bring back the country to those principles, from which, under the pressure of peculiar circumstances, and in the course of a war of unexampled length and difficulty, it had departed. My lords, in the other House of Parliament, I advocated those measures—measures, which, notwithstanding the denunciations of my noble friend, I am convinced, will, in the end, eminently conduce to the promotion of the best interests of the country. That the system in question will eventually produce this desirable result, I have no manner of doubt. However, my lords, those measures, whoever was their author, are entirely attributable to the united councils of the government; every member of which having acquired in their adoption, is as responsible for the act, as the individual who brought them forward. Therefore it is, that I feel less disposed to complain of the course adopted by my noble friend, in relation to this subject. I am afraid, my lords, that I have trespassed on your lordships' time and patience much longer than I ought to have done, and that I may have expressed myself with more warmth and less self-possession than was becoming on an occasion of such importance as the present. My lords, I will not attempt arrogantly to anticipate the success which may attend my labours in the department which his majesty has been graciously pleased to assign to me in the government; but I do trust, that in the discharge of those duties which devolve upon me in my office of Secretary of State for the colonies, I need not despair of securing the good opinion of your lordships; the rather as I stand here on principles of public advantage, and with a sincere desire to promote the interests of the country. My lords, I can assure you I am not here through any motives of individual ambition, or a desire to gratify personal objects. So far from it, if I had acted solely in accordance with the dictates of my own wishes, I should not now have the honour to address your lordships. I repeat, my lords, I have no object of personal ambition to gratify, and can therefore throw myself with confidence on your lordships' censure and favourable construction, because my conscience tells
me, that my aim has solely been, the promotion of the honour of my king, and the good of his people.

Earl Bathurst assigned, as one motive which had induced him to disconnect himself from the existing administration, the fact of his having ascertained that certain individuals, formerly his colleagues, and on whose judgment he placed the most implicit reliance, had resigned. The principle of the earl of Liverpool's government, in relation to the Catholic question, had been one of neutrality, and every minister of the cabinet was at liberty to vote as he thought best. He had approved of this system, which left the government free and irresponsible, and thought that an administration exclusively composed of friends or opponents of the Catholics, was by no means desirable. When, in consequence of the right hon. gentleman's appointment, he understood that the country was deprived of the services of so great a number of his distinguished colleagues, he thought he should not have been justified had he continued to act with the right hon. gentleman. In the present administration there were but three individuals who were supposed to be adverse to the Catholic claims. For these individuals he entertained the greatest respect. He was fully sensible of the great talents and acquisitions of the noble and learned lord who now occupied the woolsack. With respect to the noble marquis (Anglesea) who was understood to entertain similar opinions to those of the noble and learned lord, on the subject of concessions to the Catholics, he could assure his noble friend that he entertained for him great personal regard. For the noble baron (Bexley) he entertained similar feelings, and must ever retain a strong recollection of his important services during the war, as chancellor of the Exchequer. With such colleagues as these, he could have felt no objection to act, had it not been for the retirement of so many noble friends in whom he was accustomed to place the greatest confidence. The noble earl then proceeded to advert to the singular coincidence which occurred in the resignations of so many cabinet ministers, simultaneously—a coincidence the more extraordinary, as it could not now be doubted that it was purely accidental. There was no concert in the steps which those noble individuals had taken. The noble earl concluded by re-stating, that it was impossible for him to continue to hold office in a cabinet constituted as the present.

The Earl of Westmorland said, that he could not remain entirely silent on the present occasion, although the subject had been so fully explained and so ably argued by his noble friends who had preceded him, that it would not be necessary for him to trespass long upon their lordships' attention. It was frequently a matter of considerable difficulty to estimate the motives which actuated different men under different circumstances. There were often considerations which operated almost insensibly upon a man's own self, and of which therefore it was utterly impossible for any other man to judge. The reasons, however, which had induced him to take the step which he had recently taken were short and clear; and with their lordships' permission he would state them. But, before doing so, he would endeavour to answer the two serious charges which had been preferred against so many of the members of his majesty's late government.

In the first place, they were charged with caballing against the government itself; and, in the second place, they were charged with the more serious offence of intending to invade the exercise of his majesty's prerogative. It was certainly a most singular thing that this charge of wishing to invade his majesty's prerogative was advanced by those who were no great friends of the royal prerogative, against those who had always manifested themselves its best supporters. The circumstances which had already been stated by his noble friends sufficiently proved that the recent occurrences had not arisen from any thing like cabal. For his own part, he thought, with his noble friend on the Treasury bench, that it was unfortunate there had not been something more approaching to cabal; because it was on that account that what had taken place came on every man by surprise. He most firmly believed that every individual concerned had acted from the suggestion of his own feelings, and without the slightest concert with his colleagues. With respect to himself, at least, he most positively denied that he was liable to the imputation which had been thrown out on the subject. With respect to the imputed attack on the royal prerogative, he wished first to know what the prerogative was which they were charged with attacking? That it was his majesty's prerogative to appoint whom he chose to
be prime minister, no man could possibly doubt. But, was it a part of his majesty's prerogative to make a man serve in the cabinet without his own consent? Was a man to be called upon to become a member of a cabinet without the least reference to whether or not he was reposed any confidence in the individual who was placed at its head? Would he be bound to support a cabinet at the head of which might be placed a reformer, or a democrat? Was it a part of his majesty's prerogative to insist upon such an acquiescence? Was it not the undoubted privilege of a British subject to act on his own sense of honour? Was it not his duty, if he felt that circumstances called upon him to do so, silently to retire from office; sacrificing that which was the object of the efforts of thousands, to the dictates of his conscience? He wished to know, if it were an offence against the constitution to retire from, or to decline office, how many of the noble lords who surrounded him, how many of the noble lords and right honourable gentlemen of former days, had been guilty of it? When Mr. Fox, the duke of Portland, and another distinguished individual thought proper to leave lord Shelburne's administration, was that an attack on his majesty's prerogative? When the marquis of Wellesley was appointed by his majesty to construct an administration in 1812, was the refusal of the earl of Liverpool and others to serve under him, because he did not approve of certain parts of the noble marquis's political opinions, especially on the subject of Catholic emancipation, an attack on the king's prerogative? Was the right hon. gentleman at present the first lord of the Treasury, guilty of an attack on the royal prerogative when, at various times, he had refused to join, or had quitted his majesty's government? The right hon. gentleman had committed this heinous offence in 1809, and again in 1820. For his part, he had always conceived that it was the undoubted right of every public man to judge of the character of a government for himself; to consider whether or not its continuance was likely to be beneficial; and if it should appear to him not to be so, to perform his duty to his king and country, by refusing to countenance or support it.—Having thus relieved himself from the two charges of cabal, and an invasion of the royal prerogative, he would state as shortly as he could, the grounds on which he had recently acted; and he trusted that those grounds would appear to their lordships to be satisfactory. In the first letter which he had received on this subject, it was proposed to reconstruct the administration on the principles of lord Liverpool's government; a proposition which met with his ready acquiescence. It by no means however followed, as a matter of course, that because the communication was made to him by the right hon. gentleman who was at that period Secretary of State for Foreign Affairs, or because that right hon. gentleman had been nominated by his majesty to form an administration, that of such administration that right hon. gentleman was ipso facto the chief. When, in 1807, the earl of Liverpool and his noble and learned friend near him were appointed to form an administration, the duke of Portland was nevertheless placed at its head. The answer which he gave to the communication made to him—which communication did not state whom it was intended to place at the head of the government—was not positive, but conditional. It was to the effect, that if the chief of the newly constructed government entertained the same principles as lord Liverpool, he should be happy to continue one of its members. On finding, however, that that was not to be the case, he had resigned his official situation. He would not then enter into any details of the Catholic question; but, entertaining the opinion, right or wrong, which he entertained respecting it, he could not consent to remain one of an administration, with almost the whole board of his colleagues in direct hostility to him. Who did not know that the opinions of the first lord of the Treasury always gave a decided tone and colour to the whole administration? Who did not know what were the opinions of the present first lord of the Treasury on the Catholic question? It was true that his two noble friends now in the cabinet, who were unfriendly to any further concession to the Catholics, might be permitted to give their solitary votes on the subject; but of what avail would they be against the immense preponderance on the other side? He had served his majesty for many, many years; and he had discontinued to do so only when he became convinced that the continuance of his services would be no longer beneficial either to his majesty or to the country.
Lord Melville begged to be allowed to trouble their lordships with a few remarks. The members of his majesty's late administration, who had resigned their official situations, had been charged with conspiracy. For himself, he declared distinctly, and on his honour, that from the hour of lord Liverpool's illness down to the hour of his resignation, he had not had the slightest communication of any kind or description with any one of his colleagues regarding the formation of a new administration. The right hon. the President of the Board of Trade (Mr. Huskisson) had come to him with a message, stating that the right hon. the Secretary of State for Foreign Affairs had received his majesty's command to form an administration which should be on the principle of lord Liverpool's administration, and should, as much as possible, comprehend the same individuals. His immediate answer was, that provided he was not required to give any pledge respecting Catholic emancipation, and provided that the right hon. gentleman could succeed in keeping his colleagues together, he had no objection to be a member of the new cabinet. He had had no further communication until the noon of the next day, when he had an interview with the right hon. gentleman himself, whom he left with the full impression that the right hon. gentleman would succeed in keeping his colleagues together, with the exception, perhaps, of the right hon. the Secretary of State for the Home Department. Of the continuance of that right hon. gentleman in office, Mr. Canning spoke doubtfully; at the same time expressing his great regret at the possibility of his secession from the cabinet. In the course of this interview, he repeated to the right hon. gentleman the statement which he had made, in the first instance, to the President of the Board of Trade. He hoped, therefore, that it was quite clear that he had not acted in concert with any one. In fact it was not possible, in the nature of things, that any concert or conspiracy whatever could have existed.

On the following Thursday, however, he heard that not only the right hon. Secretary of State for the Home Department, but the noble duke at the head of the Army, the noble and learned lord on the Woolsack, and the noble earl presiding over the Colonial Office, had intimated their intention to retire, and not to form a part of the new administration. He immediately determined to follow their example; notwithstanding that, on the question of Catholic emancipation, he pursued a different course from them. The noble duke had that night distinctly disclaimed the supposition that the Catholic question was the consideration by which he had been influenced in his resignation. What he (lord Melville) wished to know was, whether, when it was proposed to any person to form a part of an administration, it was imperative upon him to acquiesce in the proposition, and to join that administration, whatever opinion he might have formed of its stability or character? The answer to that question was the ground on which he stood. He had the greatest esteem for the right hon. gentleman who was at present at the head of his majesty's government; but it was for him to consider how far it would be practicable for the right hon. gentleman to carry on the government, with credit to himself and benefit to the country, after the loss of so many of his colleagues. The deprivation of the noble earl who had so long conducted the government with so much ability, honour, and temper, was of itself a severe stroke upon the cabinet; but when to that was added the secession of his noble and right hon. friends, it might surely be permitted to him to doubt whether by the remaining members of the cabinet the government could be administered as he thought it ought to be administered. It had been very properly said, that this was not the place to review any thing which had passed in the interior of his majesty's government; but he could not conceal the opinion which he had formed and acted upon, respecting the late change in the administration. He had been permitted to approach his majesty's person for more than twenty years; and after he had come to that period of life, when active services could not be much expected from him, he asked, was it to be expected that any one in such a situation as he held, should be bound to accede, without any knowledge of the persons who were to compose a new administration, and without knowing whether they were to consist of friends whom he had known, or of gentlemen, with whom, whatever might be their high reputation, he had no acquaintance? And, supposing that the ministry had gone on in that way, he must say (feeling, as he did, the highest respect for the talents of the first lord of the Treasury), that still...
the change from the government of lord Liverpool was a change for the worse. He thought, therefore, from all the circumstances of the case, that their lordships would feel he had a right, in order to make up his judgment, to know, before he joined an administration, of what materials it was to be composed.

The Marquis Camden said, that he knew nothing of the transactions which formed the subject-matter of the present discussion, except what he had collected from the statements in the newspapers. Those statements, and the explanations of the noble lords in that House, constituted all the knowledge that he possessed upon the question; and from that knowledge he should say, that, so far from things having gone wrong from any cabal, it appeared to him a matter of surprise that there had been so little communication between the members of the late administration. It seemed to him that there had not been even that ordinary and common intercourse which ought to subsist between members of the same government. If such an intercourse had subsisted, much of what had occurred might have been averted, as it resulted, in a great degree, in his opinion, from a want of a full and perfect understanding between the parties. The noble marquis concluded by expressing his satisfaction at the explanations afforded by the noble lords, of the grounds of their retirement from office.

The Marquis of Londonderry said, that he had personally received the most gracious marks of the royal favour, and that never did man feel more than himself, a sincere and ardent attachment to his majesty's person and government. He was not to be put down by insinuations which had appeared in the public papers, stating that he had addressed an improper letter to his majesty, but would openly state, that the moment he heard of the appointment of the present prime minister, he had immediately resigned the office which he held, of lord of the bedchamber. His opinion of that right hon. individual was not formed, for the first time, on the late occasion. So long ago as 1822, when he had the honour of being ambassador at Vienna, he had predicted to his noble friend, the duke of Wellington, and stated to him his conviction, that, if that individual, after the death of his lamented brother, was appointed Secretary for Foreign Affairs, a few years would not elapse before he would show that he would not be satisfied, but that he would force himself to the head of his majesty's councils. That right hon. gentleman on several, but particularly on a recent, occasion, had realized that conviction, by the extraordinary speech which he had made on the affairs of Portugal. The principles advanced in which speech amounted, in his opinion, to a departure from those diplomatic relations and political principles, which were considered to constitute the principles of lord Liverpool's government, and from which he was confident that his late lamented brother—than whom no man was actuated with a more ardent and devoted love for his country—would never have departed. He had observed, indeed, for some time back, that new principles were creeping into the government, which he could not conscientiously support as a peer of parliament, and he therefore resigned the situation which he had the honour to hold under his majesty. He would invite any person to read the speech of the present first lord of the Treasury on the affairs of Portugal, and ask him, if the infatuated enterprise which that right hon. gentleman had recommended to parliament, was not in diametrical opposition to all the principles of foreign alliance or diplomatic relations, on which this country had invariably acted. As to support such measures would be, in his opinion, to aim at the subversion of all those principles which his lamented brother maintained, and which he believed to lie deep in the interests of his country, he determined no longer to support government. Another part of the conduct of the present first lord of the Treasury, to which the attention of the country was attracted, was his correspondence with his illustrious friend the duke of Wellington, which placed him in that situation in which he was compelled to retire from the command of the army—a retirement which went to the heart of the army that he commanded, and by which he was beloved. He would take the liberty of reading to the House the manner in which his majesty was graciously pleased to introduce the mention of his name in the General Order for his appointment.

"The King feels, that, under the present affecting circumstances, his Majesty cannot more effectually supply the loss which the nation and the army have sustained, than by appointing to the Chief
Command of his Majesty's Forces; Field-Marshall his Grace the Duke of Wellington, the great and distinguished General who has so often led the armies of the nation to victory and glory, and whose high military renown is blended with the history of Europe."

Was not, he would ask, that man, then, public property, and ought he, of all others, to be dismissed or deprived of his situation? And, to speak of that infatuated expedition to Portugal, for such he must call it, supposing that his grace's services were to be wanted there, how could that minister go to him, and ask him to draw his sword, after the exhibition of the correspondence which had been read that night; which, at all events, proved that he did not want the noble duke to remain in office? Such, then, being the case, that minister could not ask him to put himself at the head of the army; and he defied any man so situated, to have acted in any other way. The conduct pursued towards the noble duke must strike their lordships the more forcibly, when they recalled to their recollection, that the period was not long gone by, when the destinies of the country were wrapped up in him. But for the success of the noble duke, effected by his extraordinary powers of mind, perhaps they would not have been sitting there. Whatever the House might do, he would not compromise the Catholic question. A noble marquis (Lansdown), who had been the chief supporter of it in that House, might, if he thought fit, leave his situation on the Opposition benches, and sit down opposite, to support—what? Lord Liverpool's Government! Would he, or would any noble lord, dare to tell him, that they would take one step in favour of the Catholic question? Then, what would the Irish Roman Catholics think of it? Were they to take the will for the deed? After all those outward and visible signs of government favour, were they to get nothing? For his own part, he would rather see the country tranquillized; he would, rather than pursue such a course, see the question laid aside, and the government in the hands of the late Secretary for the Home Department, who, had, last night, made a speech which did him the highest honour, and which would be borne in mind so long as consistency was distinguished from inconsistency, and honesty was preferred to dishonesty. He confessed he had rather see

that right hon. gentleman at the head of the government. If the friends of emancipation were to see him Prime Minister, even on the principle of the exclusion of the Catholics, they would at least know the difficulties opposed to them, and would be relieved from excited and defeated hopes, to which they were now subjected, without any fair prospect of their definite termination. Among the extraordinary features which characterized the present administration, he could not forbear observing, that on the side of the new government were found, for the first time, united, persons who had formerly been invariably opposed: there were found on the side of the minister one hon. baronet (air F. Burdett) who was considered the Man of the People, and another gentleman, of great legal ability, who had been heard in that House as the advocate of the late queen; but these gentlemen, forsooth, were seen supporting the government of Lord Liverpool! He had now spoken his sentiments plainly and freely; he was no orator, but he hoped he was a man of sense. He would not go to a bookseller to print, or to alter, his speech. Having thus conscientiously given his opinion, he would sit down, with gratitude to their lordships for their indulgence. He would not have trespassed on the House, had it not been for the treatment experienced by his illustrious commander, with whom he had gone through perils and dangers, which that noble person would not design to look back upon—a man who, he would say, was adored by his officers, and distinguished by having gained the most glorious victories. Before he sat down, he should say that he did not envy the noble marquis (of Anglesea) the tottering seat to which he had attained—for convinced he was, that that noble lord's triumph would be but momentary—and thought that he would have acted much better than by accepting it, in reconciling the breaches, if any there were, between two illustrious individuals. Then he would have stood on higher grounds, and in a better position, than he did at present.

The Marquis of Lansdown said, that he should have contented himself with listening to the explanations of those noble lords who had retired from government, and of those also who had been appointed to the new administration, had it not been that he and those with whom he acted
were so personally alluded to, as to render it imperative on him, to address a few observations to the House. With respect to the noble duke late at the head of the army, although he concurred with his noble friend who spoke last, in the expression of regret at the retirement of that noble duke from the command of the army, yet he could not help it. It was not for a moment to be supposed that he was dismissed from that situation. But, at the same time, it could not be disputed for a moment, that he had an undoubted right to resign if he thought proper to exercise that right. The noble duke thought proper willingly and readily of his own accord to exercise that right, and it was surely most unfair to visit on others the adoption of that course which the noble duke had himself preferred to take. With respect to the charge and imputation of conspiracy, he was of opinion that there was no ground for such an imputation; on the contrary, he felt great surprise at the almost total absence of communication which subsisted among the members of the administration, according to the explanations of the noble lords themselves. Indeed, from the slight intercourse that subsisted between them, no person would suppose that they were engaged in arrangements, on the result of which depended the future fate of England. It was, indeed, in his opinion, a heavy reproach, that there was not a fuller and more perfect understanding between all parties, whereby much inconvenience might have been avoided.—With respect to an imputed coalition between those with whom he was accustomed to act, and the present first lord at the head of the Treasury, he could only say, that the idea of such a coalition was absurd, as he never had been even on such terms of acquaintance with that right hon. gentleman as their respective situations in society might render probable; and there never had been the slightest approximation towards a coalition, before the commencement of the proceedings of the last fortnight. He would ask, however, what was the accusation—if accusation it could be called—which the noble marquis and the noble earl had brought against him, and those persons who had lately been placed in opposition to his majesty's government? The noble earl did not say—for he could not say—that the disposition they now displayed to support the government, as it existed, arose from any secret intrigue, or reprehensible machination, upon the part of the one side or the other. The plain and simple reason of those proceedings which had taken place during the last few days was to be found in that approximation, upon great questions of policy, which had been taking place for several years, between a portion of his majesty's government and those with whom he generally acted. When, therefore, the noble marquis who last addressed the House, expressed his surprise at seeing him support a government which professed to act upon some undefined principle neither explained nor understood, he must take leave to ask that noble marquis to look back to the proceedings of the last few years, for some explanation of the motives which influenced that support. When he recollected, that only three years ago, he had used his feeble endeavours to impress upon the House the necessity, in the present state of European politics—a state which must, for a great number of years, continue to influence the destinies of the country—when, he repeated, he had endeavoured to impress upon the House the necessity of this country recognising the independence of those states in South America which were then freeing themselves from their bondage, and casting aside the fetters which had been rivetted upon them for centuries; and when he saw a skilful hand had succeeded in smoothing the difficulties which stood in the way of that recognition and that connection—when he saw a wide field opened for commercial speculation, and the exertion of national industry—did the noble marquis suppose, that any difference, as to minor points of policy, could prevent him from feeling that the individual who had succeeded in conferring such important benefits upon the country had thereby laid the ground of a strong claim upon his advocacy and support [hear, hear!]. Could, he would ask, the noble marquis fail to recognize the effect of his own humble sentiments upon subjects which he saw about to be carried into effect, and even then producing the most beneficial results to every class of the community?—He thought, at the same time, that the noble marquis and others would do well to recollect the consequences which flowed from the recognition of the Spanish colonies, and allow themselves to consider in what state the shipping and commercial interests of this country would
have now been, had the opportunity which
then presented itself to the right hon.
gentleman now at the head of the govern-
ment been unhappily neglected. With-
out the benefits which have flowed from
that and other effects of a more liberal and
enlightened policy, he had no hesitation
in saying that the time was fast approach-
ing when the independence of the country
must have been sacrificed, and the advant-
geages for which they had been contending
for centuries wholly obliterated. He came
then to another topic touched upon by the
noble marquis—the foreign policy of the
country; and in speaking of that policy,
he felt himself bound to allude most par-
ticularly to a question upon which he
thought there was—if there could ever be
upon any great public question—a univer-
sal concurrence of sentiment; he meant
that exercise of the power of the country,
which the noble marquis had designated
as the infatuated expedition to Portugal.
Who, he would ask, had ever before
doubted that the adoption of every prin-
ciple of public honour, and national policy?
It proceeded upon the principle of recognising the independence
of nations: it proceeded upon a right,
without which the independence of nations
could not exist in Europe; it proceeded
upon the right of every nation to choose
its own government, and to be its own
judge of the nature of the institutions
which it proposed to adopt; it proceeded
upon the principle, that no nation ought
to be stripped of its privileges, by the
power of any other, without its own con-
sent; and that, although different nations
might consider different forms of govern-
ment as suited to different situations, yet
when those institutions were adopted, no
foreign power was to be permitted to over-
turn them. What, then, did the noble
marquis think, was there inconsistent in
his support of those who maintained those
principles? Did he think that, because
those with whom he had the honour to
act had always advocated the cause of
South American independence, and the
recognition of that independence, he was
to oppose those who advocated the same
principles? Did he suppose that, because
he had always advocated the principles of
free trade, and confidently predicted, in
the instance of the silk trade and others
with which he had more immediately con-
ected himself, the beneficial results to
the country from the adoption of those
principles—did he suppose that, when he
saw those principles adopted, and those
benefits produced, he was called upon to
refuse his confidence and support to that
portion of his majesty's government, which
had succeeded in accomplishing objects
which he considered to be so desirable?
The noble marquis then alluded to the
praise which had been bestowed upon the
late Secretary for the Home Department.
A gentleman whom it had pleased the
noble lord who spoke last, to describe as
the very abstract of all honour, and the
essence of all candour and sincerity, from
the simple circumstance of his having
refused to sit in a cabinet, the head of
which professed himself favourable to
Catholic emancipation. He confessed
that the noble marquis had founded upon
this a very strange argument; and the
more strange as he avowed himself to be
an advocate for that emancipation. The
noble marquis had eulogised the conduct
of that right hon. gentleman in withdraw-
ing from a cabinet favourable to the Ca-
tholics. But, was that right hon. gentle-
man, who had gone on for years supporting
all the measures of the government, even
its deviations from that ancient policy of
the country which the noble marquis so
much applauded, to be made the subject
of praise because he had thought fit to
withdraw himself from the situation he
held in the government, the moment he
found it disposed to favour Catholic
emancipation? He felt as much as any
man the value of the services which that
right hon. gentleman had rendered the
country. He regretted as much as any
man that the right hon. gentleman had
thought fit to withdraw himself from the
situation in which he had been able to
accomplish such important alterations;
but he could not agree with the noble
marquis in considering that secession as
entitled to the commendations which he
had bestowed upon it. Looking, therefore,
either at the foreign or the domestic
policy pursued by his majesty's government,
he felt himself equally bound to give it its
cordial support. That support, however,
was not given to persons, but to things—
not to the men by whom measures were
to be executed, but to the prospects which
those measures held out of realising his
objects, and thereby adding strength to
the constitutional institutions of the coun-
try. In alluding, however, to the Catholic
question, he did not hesitate to say, that whether on this side of the House or on the other—whether in or out of office—
in whatever situation he might be placed
—he never could be rendered incapable of
stating fairly and openly his opinions upon
that question, or of bringing it forward at
any time, or under any circumstances, which
he might consider the most likely
to advance its ultimate triumph. And he
would add, that leaving himself at full
liberty to choose that time, he never could
be induced to move the question in that
House, unless under such a combination
of circumstances as he might conceive to
be likely to insure the success of the cause
which he advocated, and promote, at the
same time, the tranquillity of the empire.
Whenever that time should come—he did
not at that moment venture to say when—but whenever it did come, he hoped so to
pursue his course as to aid, not to injure,
the cause he espoused. The noble marquis
concluded by observing that, having thus
stated the reasons which induced him to
support his majesty's government, he had
only to add, that when he saw his majesty
issuing his commands to the right hon.
gentleman to form an administration, and
when his majesty at the same time com-
manded that right hon. gentleman to pro-
pose to him to take a part in the support
of that government, he had felt it his duty
—coinciding as he did with that govern-
ment in opinions—to bow with submission
to those commands, and to obey them
[cheers].

Lord Ellenborough commenced by
observing, that he differed from the noble
marquis, who had last addressed their lord-
ships, upon many important points. He
was prepared to admit, that certain prac-
tical benefits had flowed from the measures
adopted by Mr. Canning, but he differed
from some noble lords as to the quantity
of credit due to Mr. Canning for those
benefits. Upon the question of foreign
policy, however, he was prepared to shew,
that there had been no benefit from his
counsels; because Mr. Canning was in-
capable of inspiring that confidence in the
minds of those foreigners with whom he
negotiated, which could alone enable him
to render his measures effectual. Let the
House only look to the commencement of
the revolution in the Peninsula of Spain.
Every attempt was ineffectually made by
this country to prevent any foreign power
from interfering in the internal regulations
of that country; and while lord Londonderry
continued to uphold the interests of
this country among foreigners, those
efforts were successful. What had been the
effect of the efforts of this country since that
time it was unnecessary for him to say. The
power of a nation in the eyes of foreigners
could only be upheld in two ways—by
confidence in its power and in those who
directed that power, or by force. If they
lost confidence, they could only resort to
force to maintain their position; and if
force could not be conveniently used, the
result was not to be mistaken. Some
persons said that there had been a great
change in the domestic policy of the
country since Mr. Canning became a
member of the government. That was
not the fact. All the changes in favour
of free trade, all the consequences of the
recognition of the independence of the
Spanish colonies, were attributed to the
efforts of Mr. Canning; but it was for-
gotten, that the plans and the views upon
the subject of free trade had been de-
developed long before that gentleman be-
came connected with the government. A
noble lord who had that evening taken his
seat in that House for the first time (lord
Goderich), stated distinctly, that the
measures upon that subject had been in
contemplation for years; and it was
notorious, that the whole of the system
upon which the government subsequently
proceeded was laid down by Mr. Wallace,
then at the head of the Board of Trade.
The plan and the groundwork of the edi-
fice were left by the architect; but he was
compelled to say, that the person who
took the credit of his conceptions, and who
was said to have carried them into effect,
had not been distinguished by that pres-
dence and circumspection which distin-
guished the founder of the building.
Then, as to the recognition of the South
American States, of which so much had
been said; he recollected very well the
motion which had been alluded to, for the
purpose of pressing forward that recogni-
tion; but they knew now, although they
did not know then, that the late marquis of
Londonderry and his majesty's govern-
ment had long contemplated such a re-
cognition; and it was distinctly intimated
by that noble lord to the ministers of the
powers assembled at Aix-la-Chapelle,
that such a course would be taken by
England at no very distant period. Where,
then, was the merit due to the late Foreign
Secretary for this exclusive boon conferred upon English commerce? If, therefore, the policy of the country for the last four years was the same as at present, and as it had been before, he could not see that noble lords had any reason for giving to the government a support now which they had refused to it before. It was impossible not to see, that whatever might be the intentions of the present government, it possessed less power to accomplish those intentions, than the government which had preceded it. It was impossible not to see that it had sustained such losses as wholly impaired its weight and usefulness. The loss of the earl of Liverpool, who possessed the respect and esteem of the country to a degree hardly ever before accorded to any private individual, was not to be supplied. The loss of the right hon. gentleman (Mr. Peel), who was entitled to, and enjoyed, the confidence of the whole nation, must be as deeply felt in the government as it was deplored elsewhere. It must be long, indeed, before any one who should come to fill his office would bring with him so intimate an acquaintance with the practical nature of its duties, as would enable him to carry into effect the extensive and useful reforms which the right hon. gentleman contemplated. The frank and manly declaration which that right hon. gentleman had made last night in the other House, had done him immortal honour, and would be remembered with admiration, as long as mankind understood the distinction between consistency and inconsistency, between honesty and dishonesty. Another loss which the country had sustained, was in the secession of the noble duke lately at the head of its military departments—not so much because the army was deprived of his experience and knowledge, as because the cabinet and councils of the country had no longer the benefit of them, and had thus lost what he considered its great moral strength. The noble duke was the only person in the cabinet who was able to maintain the relations of this country with the other governments of Europe, with that force and utility which knowledge and personal weight gave beyond mere diplomatic negotiations; and this no man, who knew anything of foreign policy, would hesitate to acknowledge; and every body must regret that such a tone had been assumed in the correspondence of the right hon. gentleman with the noble duke, as made it impossible for the latter to hold his office upon terms which were consistent with his reputation—He concurred with his noble friend (lord Londonderry) in the sentiment he had expressed of uncompromising hostility to the government as it was now composed; and he added so it one of sincere and ardent devotion to the Catholic cause, which no party feeling should ever induce him to abandon or neglect—not even the inducement of displacing an administration in which he had not the slightest confidence. He would not even be induced to attempt anything to the detriment of such an administration, if he thought that at the same time he should do any thing detrimental to that question. He confessed, however, that he could not possibly comprehend the argument of the right hon. gentleman (Mr. Canning), when he said, that he had advised his majesty to form an administration decidedly hostile to those claims which he had so warmly advocated. If, as it was to be gathered from his speech, the right hon. gentleman thought that an administration of that kind would entail so many calamities upon the country, and prove in itself a source of so much evil that it must necessarily fall to pieces to make way for him and his colleagues—he confessed he could not comprehend how advice of that kind, which must produce so much calamity, was reconcilable with that oath which the right hon. gentleman bound himself to fulfil when he was called upon to take part in his majesty's councils. Still less could he comprehend how the noble marquis (Lansdown) and his friends could with consistency join an administration of which that right hon. gentleman was to be the head. When he was told still further, however, that the Catholic question was not to be mentioned by that administration, unless there was a moral prospect of carrying it, he could not help feeling that the question was abandoned—that the support which had been hitherto afforded it was withdrawn, and that it stood now upon much worse grounds than when its opponents were at the head of the government. How was that question advanced but by discussion—continued discussion?—and if they were to be told that it was not to be discussed unless its supporters or proposers were confident of having a majority in both Houses of Parliament, then he would say, that it never
would be discussed at all, and that it must be considered as literally abandoned by its present supporters. How much more favourable would it have been, with the view of forwarding the interests of the Catholics, if it had been known that the influence of the First Lord of the Treasury would have been exerted in the attainment of the object they were seeking? As the administration was at present constituted, he would say, as a friend to the Catholics, that he considered its formation to have been the most deadly event to the success of the Catholic cause. If, however, he spoke as a Protestant advocate, he should declare that he could have no confidence in an administration in which the First Lord of the Treasury kept back the discussion of a question until he himself thought success was certain—a line of conduct which might be compared to laying a mine under the feet of his opponents to blow them into the air when he pleased. He thought that no honourable man could take office under an administration so constituted; and, if the noble marquis (Lansdown) did entertain an idea of associating himself with the noble lord who sat beneath him, he could only do so on the express belief, that by doing so he should further the success of the Catholic cause. He was happy that what he had said in the early part of the evening had drawn from some noble lords the full, the satisfactory, explanation which they had heard to night. He was sure that no one would think he had put those questions with any unfriendly view. On the contrary, he had done so with the best intentions; supposing, as he did, that it was impossible they could have been guilty of such conduct as had been imputed to them.

The Marquis of Anglesea said, he was bound by no conditions; he was in every respect free as the air he breathed. However, whether in or out of office, he should feel it his duty to support the Throne—not that he meant to say that it was attacked, but that he considered his majesty to be fully at liberty at any time to form what administration he might think best suited to the wants of the country. If, therefore, any arrangements more conducive to the public good than those which now existed could be entered into, he should retire from office with the most perfect good humour. Before he sat down he must say, with respect to the insinuations which had been thrown out, that he should not condescend to explain them away; but if he thought it right, he could show that he had pursued a course in diametrical opposition to that which had been insinuated.

The Earl of Winchelsea should not feel that he did justice to his own feelings if he did not say a few words upon this subject. He thought there never had been an era in our history like the present, since the time of the constitutional Revolution; so complete had been the change in every respect. A coalition, it seemed, had been formed of parties that had long been opposed to each other; and in this preposterous coalition, as he must call it, some one or other of the parties must have compromised his previous political opinions. The noble earl then contrasted the disinterestedness of the noble lords and gentlemen who had resigned their places, with the conduct of those now in office, and especially of the right hon. premier; and observed, that whoever considered the career which that right hon. gentleman had pursued, must be convinced that ambition and love of place had been the pivots of his political life. He believed that none of the supporters of that right hon. gentleman could explain truly, what were his sentiments upon the great questions of the government.

The petitions were ordered to lie on the table.

HOUSE OF COMMONS.

Wednesday, May 2.

Catholic Question.—The New Administration.] The Marquis of Chauves said, that he had been intrusted with a Petition from Olney, Buckinghamshire, against any further concession to the Roman Catholics; and he could not refuse to avail himself of the occasion of stating, that if any thing like consistency existed among the present ministers, they must unite themselves, in order to carry the Catholic Question. He, for one, was determined to do all in his power to defeat that object; as he could place no confidence in the impartiality of a government which had a Roman Catholic advocate at its head. He was satisfied that the new cabinet would do its utmost to procure concession. In the meantime, it remained for the people of England also to act. In the county to which he belonged, the
feeling against Roman Catholic concession was strong and general. Much alarm prevailed on this subject; and the dislike of a Roman Catholic administration was by no means confined to narrow limits throughout the country. He had no doubt that petitions would not only be poured in to both Houses of Parliament, but laid at the foot of the Throne, against the continuance of such a government. He would never consent to such an innovation on the constitution, as the admission of Catholics to office: the breach would be irreparable; and if now made, many of those who assisted in the undertaking would have to deplore their success. He had been anxious to declare his sentiments; and he entreated the country to come forward in a manner so decisive as to drive the question of emancipation for ever from the doors of Parliament. Though an humble individual, he trusted his voice would be heard, and his call obeyed. Never, as long as he lived, would he quietly consent to Catholic emancipation.

Mr. Hume doubted much the assertion of the noble lord regarding the general distrust of the government, merely because it had at the head of it an individual who had supported the claims of the Roman Catholics. If the noble lord and his friends were a criterion of the state of the public mind, certainly the terror and dissatisfaction were great, but did not threaten any very disastrous consequences. He hoped that there was sufficient generosity in the people of England to prevent them from refusing, at that time of day, an equal participation of rights, merely on the score of religious differences. He had too high an opinion of the great mass of the people not to be persuaded, that even if the supposed dislike existed at all, it would shortly be overcome. Whatever change had occurred in the government, the opinion last night delivered by the first lord of the Treasury was no doubt correct; and if so, the peril was not in any respect increased. It was, besides, happily not in the power of any first minister of the Crown to change the constitution of the country. Whatever the right hon. gentleman in his wisdom might determine, and whenever he might again bring forward the subject, he wished him success; and he hoped that, in choosing his time, the right hon. gentleman would consult what was due to his own character and honour, and the welfare of Ireland.

Catholic Question—

Sir C. Burrell expressed a hope, that if any concessions were made to the Catholics, they would be accompanied by such securities for the Protestant Church and Hierarchy as would allay the fears which might be entertained for the preservation of religious and general liberty in this country. Any minister, let him be who he might, who should come down to that House and propose a relinquishment of the securities necessary for the preservation of the Protestant Church, would do an act which was unworthy of a minister, and disgraceful to a public man.

Mr. Bright deprecated the attempt to treat this question as one of a religious nature solely. He wished for the removal of the sore. The deeply-rooted aversion to the Catholic religion which existed in this country arose from a strong conviction, that the prevalence of that religion always was, always had been, and always would be, inimical to civil liberty. It ought ever to be remembered, that the feeling against the Catholic question was not in the slightest degree connected with a spirit of religious persecution. He was desirous that every man should worship God in the manner most agreeable to his own conscience; but, at the same time, it was necessary to guard against the influence of a religion calculated to infringe upon civil rights and privileges. Those were the principles which actuated the great majority of the people of this country, and therefore they contemplated with just dismay the alteration which had lately taken place in the government. The time was come when it became the representatives of great and populous places to speak out. One advantage had accrued from the late change in the administration, ominous as it was in other respects: he meant the advantage which the Protestant cause had obtained in acquiring a leader of such experience and ability as the late Secretary for the Home Department, who had emancipated himself from the trammels in which he had long been held, induced by a conscientious sense of duty to resign the office which he had filled with so much honour, and endeared himself to the whole country. He called upon that right hon. gentleman to come forward manfully, and maintain his opinions; and he was confident that he would be backed by the country, and that an end would soon be put to the Catholic question. Catholic emancipation, which was said to be the sine quâ non of
the pacification of Ireland, would, he believed, have but little effect that way. It was the low state of civilization in Ireland (if he might be permitted to say so without offence), the oppressions under which the lower classes laboured (which the late Secretary for the Home Department had laboured so strenuously to remove)—these were the causes to which the unfortunate condition of that country was attributable. The lower classes were completely ignorant of the measures which parliament had adopted for their benefit. If gentlemen, instead of exciting discontent in Ireland, by continually pressing on that one odious question, would make the lower classes acquainted with the daily and hourly exertions of parliament in their favour, a happier result would await their exertions. Since he had had the honour of a seat in that House, there was no subject which had occupied so much attention as the situation of Ireland. The greatest anxiety was always shown to improve the condition of the people of that country. He had felt it necessary to deliver his sentiments, on account of the great change which had taken place in the government. The sentiments which he had expressed were those which he had always entertained. He conscientiously believed, that the natural tendency of the Catholic religion was alien from, and prejudicial to, the civil liberties of the country in which it existed; and on that ground he would always oppose emancipation.

Sir J. Newport said, that as the hon. member had thought proper to give his opinion on the state of Ireland, he trusted he would permit him who had been four and twenty years in that House, and for fifty years intimately engaged in connexion with that country, and might therefore be presumed as competent to form a correct opinion of the state of affairs there as the hon. member, to state what he felt on the subject. He had lived long among the people of Ireland, and he might say, without subjecting himself to the imputation of arrogance, that he had devoted his life to their amelioration. He would, then, tell the hon. member, that the degradation of the people of Ireland had, in a great measure, grown out of the proscription of the great body of the people. Whilst the people were excluded from the benefits of the constitution, the evils which prevailed in Ireland would augment, year after year. It was impossible to look at the condition of the people of Ireland without feeling the most sincere regret at the effect which had been produced in that country, by the misgovernment which had been continued, he might say for centuries. When it was found that all the measures for which the hon. gentleman took so much credit to the House, but for which he (Sir J. N.) was disposed to give it very little credit at all, because they had been forced upon its attention by circumstances which had placed Ireland and the empire in peril, had failed to produce a beneficial effect, might he not be allowed to presume that something more was wanting? His firm conviction, which had grown with his increasing years, and had now followed him almost to the grave, was, that it was in vain to seek for the restoration of public safety and happiness in Ireland by any palliatives; it was necessary to alter the foundation on which the whole rested, to make the people of Ireland free, and to give them all the same interest in the constitution which was at present possessed by only some of them. Unless that course was pursued, this country would soon reap the bitter consequences of the present system. It had been said, that the great body of the people of Ireland, the lower classes, took little or no interest in the Catholic question. Their conduct at the late general election had disproved that assertion. Again he would repeat, that the people of Ireland would never be satisfied until they were placed on an equality with the people of England, with respect to the enjoyment of civil rights.

General Carwyne said, that a more extraordinary assertion than that made by the right hon. baronet, namely, that all the evils of Ireland were attributable to the want of emancipation, he had never heard. With respect to that question, he believed that the idea of its being likely to be carried would spread alarm throughout the country. The people at large were decidedly adverse to concession, and the fact would be proved beyond contradiction, should the present ministry find it expedient to resort to another election. The interest in the Catholic question referred to by the right hon. baronet, prevailed not among the lower orders, but among a better informed and more wily class—he meant the priests—who would not feel much complimented by being placed by the right hon. baronet in a sphere so degraded.

Lord Milton said, it never had been
contended, that the removal of the disabilities which pressed upon the Catholics would be a cure for all the evils which affected Ireland; but certainly it had been stated, and he thought truly, that the existence of the disabilities was the original cause of those evils. The gallant general seemed to think that the opinion of the people of this country was decidedly adverse to the Catholics; but the very fact of his colleague being favourable to emancipation showed that this was not the case. The representatives of English counties and great towns were almost equally divided on the question: and that being the case, now that the government had been changed, the prospect of success with regard to the question of emancipation was, he thought, materially improved.

Mr. A. Dawson thought there was no rational ground for supposing that the Catholic question would be immediately carried on account of the change which had taken place in the ministry. The removal of an individual from one office to that of prime minister, could not, as it were by magic, change the sentiments of the two Houses of parliament. He thought that at present there was no cause for exultation on the one hand, or alarm on the other. He was sorry to hear the successful issue of the Catholic question spoken of as a breach of the constitution. Such a topic should not be introduced incidentally on the presentation of a petition. The best way to preserve the constitution was to enlist in its support the descendants of those men who had procured for us Magna Charta. There was nothing in the heart or mind of a Catholic which would dispose him to object to the principles of a free constitution.

Mr. Duncombe was satisfied that the great majority of the inhabitants of England were hostile to further concessions.

Mr. H. Seymour said, there could be no doubt that the great majority of the people of this country was opposed to the Catholic question. Even if that question should be carried through the House by means of the brilliant talents which at present supported the government, it would be found impossible to ram it down the throats of the people of England. He declared his intention to support the administration, until that question came to be discussed.

Mr. Portman thought it unfair to the House and to the administration, to endeavour to set up a cry which was most likely to inflame the public mind, connected as it was with a question of religion. There seemed to be an intention to place in opposition with each other, two right hon. gentlemen who had last night displayed so much moderation and kindness towards each other. The most becoming course which the opponents of the Catholics could pursue was, to bring the question fairly forward, with the assistance of the late Secretary for the Home Department, whose accession from office he sincerely regretted.

Mr. O'Neill defended the Catholics of Ireland from the imputations of violence and seditious feeling, which some gentlemen had cast upon them. It had been said, that they came with the semblance of entreaty to the House, but that they carried a petition in one hand, and a dagger in the other. He denied that there was any foundation for these charges. Ordered to lie on the table.

NEW ADMINISTRATION—SHIPPING INTEREST.] General Gageyne was proceeding, pursuant to notice, to bring forward his motion on the state of the Shipping Interest, when Mr. G. Dawson begged that there might be a delay of a short time, as he had a question of considerable importance to ask of the right hon. gentleman now at the head of his majesty's government, whom he did not yet see in his place [cries of "Go on, go on"]. General Gageyne observed, that he was in possession of the House, and that his motion had been standing a long time [cries of "Go on"].

Mr. Huskisson said, that he had not seen his right hon. friend, the First Lord of the Treasury, during that day; but that, if that right hon. gentleman had had notice that the hon. gentleman opposite desired to put any question, he made no doubt that he would have appeared in his place, even although other business had been neglected for it.

Mr. G. Dawson said, he apprehended that some notice had been given that questions would be asked, because he himself had stated that fact to the right hon. gentleman, previous to the ballot.

HOUSE OF COMMONS.

Thursday, May 3.
Mr. Huskisson replied, that he had stated the cause of his right hon. friend’s absence as well as he knew it. Certainly, on receiving the intimation of the hon. member he had not thought it necessary to send for his right hon. friend; but no doubt he would soon be in the House.

At that moment Mr. Canning entered, and took his seat.

Mr. G. Dawson said, that he wished to ascertain from the right hon. gentleman who had just taken his place, whether any arrangement had been made, or was in contemplation, for filling up the offices of Master of the Mint, Judge-advocate, and Surveyor-general of Woods and Forests?

Mr. Canning.—Yes [great cheers and laughter].

Mr. G. Dawson said, he did not quite understand what all the cheering meant. However, to bring the matter to a crisis, he would make a motion upon the subject. He would move, in order to afford an opportunity of making some observations which he was desirous the hon. gentleman on the other side should hear.—"That an humble address should be presented to His Majesty, praying that copies of the commissions of the Master of the Mint and of the Judge-advocate might be laid before the House." It would have been but sitting, he thought, that, after so long a delay, the House should have been informed who were the gentlemen intended to fill those offices. As nothing was intimated directly, report, as usual, had been busy; and statements had got abroad, that the places in question were to be filled by some of the gentlemen who had lately coalesced with the right hon. gentleman at the head of affairs. If that report were true, this would be the last act of that political farce, which the right hon. gentleman had been carrying on, with wonderful success, for the last five weeks; but, in the plot of that farce there did appear to be one or two very curious circumstances of coincidence, to which he wished, very shortly, to point the attention of the House. He had heard the right hon. gentleman declare, but a night or two back, from his place on the opposite bench, that he had received the resignations of those six ministers who had retired from office, because they were opposed to the measure of the Catholic claims, "In the King’s closet." This was the right hon. gentleman’s statement, which it was impossible for him to doubt; but, certainly, he had heard four of the six ministers in question state, in their places in the other House, that those resignations had been sent to the right hon. gentleman in ample time for him to have received them at his proper place of address—the Foreign-office. Now, it did appear extraordinary to him, that these resignations—sent some of them as early as eight o’clock in the morning, two sent the night before the right hon. gentleman received his appointment—should not have reached him until he was absolutely in the king’s closet; and if the fact was, as it was difficult for a man of plain understanding not to believe, that this circumstance was the result of an arrangement, and that the letters, being received in due time at the Foreign-office, had been purposely delayed until the time of their delivery to the right hon. gentleman, the inference was inevitable, that such a device was calculated to produce the impression upon the royal mind, that the noble persons resigning had entered into a low cabal, in order to prevent their king from having the benefit of their services.

Then, whether such an impression as this was made upon the royal mind he did not know; but one thing was certain; namely, that that was precisely the impression which had been produced upon the public mind, and through the medium of the public press. He would not ask the hon. Secretary for the Admiralty, nor the learned member for Winchelsea, if they understood how this had happened; but it was quite certain the thing had happened; and he should be glad to hear some explanation of such a coincidence. And the coincidence did not terminate here; but the part which followed formed the chief object of his present observations. It had been stated publicly, that the places respecting which he had taken the freedom to question the right hon. gentleman opposite, were to be filled up by those hon. members who now supported government, but who had, for so long a time, been in the habit of opposing its measures. It was currently reported, that either those gentlemen would at once be put into the situations in question, or that the places would be filled up provisionally, so that they might be ready when it suited the squeamish stomachs of the hon. gentlemen to accept of them, or the liberality of the right hon. gentleman at the head of affairs to bestow them upon them; and
to this no contradiction was given. It was a coincidence no less curious than that of the receipt of the six resignations by the right hon. gentleman in the royal closet, that all this accession of strength from the Opposition should accrue to him just at the moment when he had place and preferment to give away ("hear, hear," from the Opposition). For it was pretended, that, for a long time, there had been a similarity of feeling and opinion between the right hon. gentleman and the hon. members who had joined him. The House should see, in a few moments, by what sort of conduct that similarity of sentiment had manifested itself. The hon. and learned member near the pillar (Mr. Brougham) had spoken of his agreement with the right hon. gentleman—his agreement upon all points of foreign affairs, or internal arrangement. Now, he had no means of ascertaining, but in one way, what this agreement had or had not been. He had no means of knowing what the personal feelings of the hon. and learned gentleman had been; but he could refer to the manifestation of the opinions of the right hon. gentleman, and of the hon. and learned gentleman, as they appeared upon the divisions of the House; and upon that he would say a few words presently. If he referred to the Parliamentary Debates during the time when the right hon. gentleman was Foreign Secretary, so far from finding any approximation between his sentiments and those of the hon. gentleman who had now joined him, he found no one subject, except that of Catholic emancipation, upon which their views had not been diametrically opposite. In consequence of the declaration of the learned member for Winchelsea, two nights since, he had looked through the proceedings of the House from the year 1820; and, upon a list of ninety-five divisions, he found the following proofs of the agreement of the right hon. gentleman and his present colleagues; in the course of ninety-five divisions he found the name of the reputed Master of the Mint, the right hon. member for Knaresborough (Mr. Tierney), opposed to that of the right hon. gentleman forty-nine times. The learned member for Winchelsea's name stood opposed to that of the right hon. gentleman fifty times; a pretty strong evidence, not only of his sentiments, but of his constant attendance in the House. He found that the hon. member for Ware-
right hon. gentleman? The fact was, that it was useless to talk. There never had been any bond of union between the parties but the Catholic question; and it would be a delusion too monstrous almost for belief, if that question was not instantly brought to issue. That was the question which he desired to see the right hon. gentleman try. Upon that question either the confidence of the king or of the Catholics must be betrayed; and the new ministers would desert their duty, as well as their principles, if they did not, within a single week, bring that question to issue. The House must see, and the people of England would not long fail to know, that, in this most extraordinary coalition, both parties had equally lost sight of every principle which ought to have been sacred to them. He hesitated not to avow that fact: it was his opinion, and he freely stated it. He looked at the conduct of the right hon. gentleman at the head of affairs as having been dictated by no other motive than the gratification of his own personal ambition; and, disagreeable as it might be to the right hon. gentleman to hear it, and disagreeable as it was to him to utter it, he told the right hon. gentleman, that he had not been over scrupulous as to the means by which his ambitious course had been pursued. Then, for the other party—if they lost sight of the Catholic question but for one moment [hear and laughter]—he meant to throw no difficulty in the way of the bringing on of that question—if they abandon that question only for one hour, they would do so for reasons which all the country would understand. They would have abandoned it, after clamouring incessantly for it, at the very first moment when valuable places were to be given away, and when—if the latter part of the report which he had already alluded to was the correct one—when other valuable places were to be kept open before them, ready to reward and gratify them for their support. After some further observations upon the extraordinary and unnatural character of the coalition in which the hon. gentleman on the other side had entered, the hon. member concluded by moving—"That copies of the commissions of the Master of the Mint and of the Judge Advocate should be laid on the table."

Mr. Brougham rose to second the motion [great laughter and cheers]. He said, that he trusted the House would believe, from his seconding the motion of the hon. gentleman opposite, that he had succeeded, with his new position in the House, to some of the candour and fairness which naturally belonged to it; and, certainly, his successors on the opposite benches had approved themselves the most apt learners—he would not say of the tricks, but certainly—of the wiles and resources of faction, of any he had ever seen distinguish themselves in that very respectable school [hear, and laughter]. For never in the course of his long experience of opposition, whether as an artist or an amateur, had he witnessed as a by-stander, or practised in his own person, any thing comparable to the evolution of only the second night's tactic of the hon. gentlemen opposite, by which they had actually interjected—not into a debate, but actually into an opening speech, made upon a motion standing after two months' notice—into the very exordium of the address, as to the state of the shipping interest, of the hon. member for Liverpool—not a simple question or two to anuy government—though that would have been more than he (Mr. Brougham) had ever been able, under such circumstances, to effect—but a regular debate upon a question of their own cuitting, and taking place of a debate, of right, and even actually of fact, already in possession of the House [cheers, and laughter]. Therefore, to augur from the first step of the new opposition, as to what they would do hereafter—be their continuance in their present places as long as he could wish it to be, or, as short as they themselves would desire—certainly a more violent, and unhesitating, and uncrupulous party could hardly have been gathered together, than that which had broke ground upon the opposite benches two nights before. With respect, however, to the most important part of the observations of the hon. gentleman opposite, which he wished to dispose of before he came to the questions which the hon. member had put personally to himself and one or two other members, it would be necessary for him to occupy a few moments of the time of the House. He confessed that he admired the boldness of the course of the hon. gentleman opposite. It was a frank, gallant, proceeding; and he liked it, because it at once showed the foot, which was meant to carry the hon. gentleman and his colleagues back into office, by carrying the Catholics away from their chance of emancipation [hear, hear.] The hon. gentleman proceeded
till HOUSE

conversatiop,
with new mail arrived from Dublin—he did not mean the journal called the Mail."
The hon. gentleman did not wait for these discussions, which they wished to fetter them—into
time immemorial, all their old speeches were to be flung in their faces, in compa-
and his colleagues. Being out of place to deliver

to deliver at present. Not at all; this cold delay did not suit the hon. gentleman and
his colleagues. Being out of place only for a week, they did not find so pleas-
ant as to be desirous to try it for a month. And therefore they wished to urge on the
tried friends of the Catholic question, to do that very act which every rational man con-
ated with the Catholics must see—done at present—would be wholly fatal to
there. There were times, however, and seasons, when it was proverbially dangerous for men to listen to the counsel of their
The Catholics had too often, he was afraid, taken a lesson of indiscretion from their friends; let them now take
and tuition of the hon. member for Derry; for if the Catholics could doubt now for a moment, they must be mad—literally and absolutely mad—that the es-
special course calculated to ruin all their interests was for them to follow the advice which that hon. gentleman and his friends threw out to them [great cheering]. Let the Catholics avoid the hon. gentle-
men opposite; and as they had feared their hostility, let them now, on every account, be apprehensive of their friendship. Let them trust to the effects of time, and of discussion—of better lights breaking out in various ways, and freer opinions, in
England. Let them rely upon the effect of their own forbearance, of their abstinence from offensive and provoking topics. Let them suspect bad advisers; and endeavour to conciliate the hostility of those who opposed them from honest and sincere pre-
judices; avoid the counsels and seductions of rash and intemperate friends; but above all, let them fly from the advice of their
open, avowed, and determined enemies, who were now endeavouring, in order to promote their own private and party pur-
poses, to force them on to a conduct which could have no end but in their ruin [loud cheering]. For the trick was too clear. It was the thinnest disguise he had ever seen thrown by a virulent faction over their naked depravity. Let the Ca-
Catholics only employ their common senses: let them ask themselves who the party was—the hon. gentleman opposite—who was crying upon them to press their claims, without loss of time: let them recollect that the individual who talked of their abandonment, their betrayal, and the mis-
chief coming upon them from a single moment's longer delay, was their ancient, their avowed, their honest enemy—the man who had opposed them upon every occasion, and was pledged to oppose them
the member for Derry [cheers]. One word, however, when he said "honest," not that he meant one point to qualify that well-merited word, as applied to the
hon. member; but, while he fully bore testimony to the hon. member's honesty, he begged to be understood not at all to make the same admission with respect to
his consistency. For that he (Mr. Brougham), who had always supported and advocated the cause of Catholic emancipation; that he, who, through his whole political life, had shown himself the firm
friend of the repeal of every kind of penalties, or disabilities connected with religious belief; that he, with his habits and opinions, should feel impatient for the accomplishment of Catholic emancipation, and even perhaps not hesitate to involve
the country in something like confusion and even perhaps not hesitate to involve
the carrying of the Catholic question—who had treated the granting emancipation as the death of the constitution and the ruin of
the church—who had exclaimed against the carrying it as the heaviest blow which could be struck against the prosperity of
the country, save and except only one, the continuing to agitate it—was it not perfectly inconceivable, when those same
persons were found crying out—not to
forbear from bringing on again the Catholic question, and vexing and disturbing the country further with its discussion, but assuring the Catholics and the country, that their duty was to press their cause at a time the most peculiarly inconvenient for discussing it; and that those friends were only deserting and betraying them who talked of patience or delay? [hear, hear.]

"Bad as it would be to grant the measure," the hon. gentlemen opposite had been used to say—when they were not "the hon. gentlemen opposite"—it is still worse constantly to moot and to debate it." He had heard them say this, in so many words, twenty times over. He had not their words, certainly—the quotations cut out of their speeches—at his fingers' ends. It was true that he was out of office, as they themselves were; but he had not time for such an operation—he had been in a court of law all day; but he remembered the topic perfectly, and had the whole form of reasoning; he could assure them, by heart [hear, hear]. "Bad as the success of the measure would be, odious to the feelings of Protestants, and ruinous to the safety of the church, one thing is still worse even than the granting of the claims, the eternally debating them," &c. But, how strangely, with their powers of office, had their consistency deserted the hon. gentlemen opposite! For here were those very individuals who held agitating the Catholic question, but a fortnight back, the very worst thing in the world, only anxious now, without a moment's delay, to bring it forward! "Do not delay a single fortnight," was the cry of the hon. gentlemen; "do not delay a week." Even last week, it was too long to sit upon a bench of thorns ["hear," and laughter]; to be out of the sunshine of royal favour. A week! A week was an age in a cold, chill, opposition atmosphere, with no employment but reading the fag-ends of old debates to piece out new discussions, instead of calculating the amount of vast and eternal items of official expenditure, and the still more agreeable problem of receipt. A week was an impracticable time to sit upon a bare and barren rock; surrounded by persons as ill off as themselves; and calculating nothing more pleasant and enlivening, than how many times in the last twenty years the future master of the Mint had voted against the first lord of the Treasury; how many times the hon. mem-

bers who sat by the "pillar," and the worst of it was, were likely to sit there, or if they were driven away, it could only be by the old kind of driving, which made matters worse, the being driven from pillar to post—how often these persons had voted, and with what numbers, and in what divisions, when they sat opposite to particular other persons—the burden of the calculation being, that they now sat with them [cheers]. Oh, no! this was too much. To bear this for a month was impossible. At least, if it were possible in any way to get out of it by forcing on the question which we had been used to say only convulsed England and agitated Ireland; to force this on—at the certainty of keeping it still unsettled—by telling ministers you are abandoning your principles, and you are giving up the Catholics, if you delay to bring it on but for a single day [loud cheers].—One word now, in answer to the questions which the hon. gentleman had said he would not ask of the hon. Secretary of the Treasury, the Secretary of the Admiralty and, he believed, of himself. These questions related to the phenomenon, that the public press, generally, had taken one peculiar course in discussing the events of the last few weeks—a wonder for which the parties questioned seemed called upon to account. Now, the hon. member had said, that he would not ask this question of the Secretary for the Admiralty, which indeed he might say safely, for the hon. Secretary was not in the House. Then the hon. member came to himself (Mr. Brougham) personally; but still, he said, he would not ask him the question; so, as the hon. member would not ask it, he would imitate so good an example, and not answer it. To proceed, however, in his no-answer in the same spirit in which the hon. member had put his no-question, he would just make one observation upon the course taken by the press upon this occasion. The surprise would not be at the conduct of all the newspapers; it might have been expected, that some of them would take the part which they had taken. It could not be wonderful that the newspapers which had formerly supported the party in opposition should continue to do so still; and therefore the only wonder was, that that part of the press which used to side with the hon. member for Derry and his friends, to cover all their errors, and uphold all their opinions—that these papers
should suddenly have veered round to the other side, or have become silent; that they should either say nothing directly, either one way or the other, upon the dispute, or that they should be defending the sovereign in the exercise of his prerogative—supporting the right hon. gentleman and his measures, such as they had been, taken under circumstances of very peculiar embarrassment, certainly not at all of his own seeking. To explain the phenomenon which seemed to have so confounded his conjectures, surely it did not require greater talents than those possessed by the hon. gentleman. Had he really no means to divine the meaning of it? He had not shown so slow a capacity in the office which he lately filled; for he was ready to give full and ample praises both to him and to his right hon. relative, for the manner in which the duties of the Home-office had been conducted during their administration of it. In regard to the influence supposed to have been used to bring about a union of sentiment with the newspapers—he ought to say more properly the periodical press—and the new government, they greatly deceived themselves who supposed that public opinion grew out of the public press, and that the public press was not, in its turn, the mirror of public opinion. If he saw that the public press was in unison and harmony with the character and proceedings of an administration, it was not for him to attribute that sympathy of moral feeling to the efforts made by the friends of the Secretary of State in one quarter, or the visit of an officer of the Admiralty to another party; but the reason which he would assign would be, that the public voice was loud, and the public mind was strong. In his opinion, the reason of this happy union of sentiment was, that the public saw the delicate and embarrassing situation in which the king was left, and that they greatly lamented the sovereign having been left in that embarrassing situation. He was convinced that the public feeling had inclined strongly to the late right hon. Secretary for the Home Department; and that the regret of the public at his retirement from that office was general. It could not be greater, had it been called forth by the resignation of the then Foreign Secretary, now First Lord of the Treasury; who was ready to resign, notwithstanding the charges which had been made against him of an overweening ambition. The public press had shown itself faithful to that opinion. He had not seen all the publications; but of those which he had seen there was not one which did not display respect for the talents, and regret at the resignation, of the right hon. gentleman. He greatly regretted those attacks which had been made in what was called unmeasured language, on an illustrious person who was elsewhere. If the characters of public men were public property, as truly might it be said, that the character of that great man was the property of Europe; he had almost said of the world. Therefore he highly disapproved of the attacks made upon that gallant duke. He thought for one, that that noble duke was perfectly justified in resigning as he had done, and upon the reasons which he had given. He could not say the same of all the resignations. Lord Melville need not have resigned. He could not imagine why lord Melville had resigned. He dared to say that his lordship himself, upon reflection, must be very much at a loss to know why he had done so. However, the comfort was, that he belonged to a department which was the most easily filled up. In the main, however, he saw no fault to find with any of those noble and honourable successors. He would not give in to the ordinary cant upon such subjects. There was no unwarrantable disrespect in any man refusing to act under another, who was placed over his head, contrary to his liking. As long as men were men, such things must be of frequent occurrence. But, while he was ready to do this justice to the retiring party, he should be doing the highest injustice to others, if he did not see the embarrassment and difficulties in which they had left the government. The king found himself suddenly deprived of the services of six out of nine of his ministers. It became absolutely necessary that the offices should be filled up, and that the public service should be committed to the charge of men who were equal to this great crisis. And the result had been, to form a government, if any government ever deserved the name, effective, generally consistent, able, honest, and enlightened; and this upon his conscience he believed to be the character of the new administration. It was upon this conviction, and with almost the certainty that the country would soon, from their own experience, come to the same conclusion, that
he had given his support to the new arrangements. He would have disdained the attribution of interested motives to his conduct: but none had been seriously attributed to him. But he would now speak of others, his friends, who were implicated in the common censure; and he wished to speak as a witness, with the same solemnity and earnestness for the truth which he would feel on deposing in a court of justice on his oath. He knew of some of the negotiations. He was fully acquainted with the difficulties and scruples which arose, in cases where there ought to have been none. Any thing more unlike the description which had been attempted to be put on those transactions—any thing that differed more entirely from an eagerness to seize the opportunity of confusion in the former government, and of rushing through the access which suddenly opened to their view, any thing less like a desire to seize upon place, power, and patronage, now within their reach, and which they had but to put out their hands to touch, there could not be. He had seen some former negotiations. He remembered that of 1812, and that of 1815; but he had seen nothing like it—he had not heard nor read, and he could not have conceived, any thing which resembled it. Difficulties as to the adjustment of terms, scruples where none existed, arose continually. He himself had had to do away with difficulty after difficulty, until he was tired with what he at last deemed almost the squeamish resistance of his friends; and he had now the unspeakable satisfaction of feeling, that the negotiations were assisted in their course towards the present happy termination, by his endeavours. So much for the subject of eagerness to seize place. If men were so anxious for place as to abandon their own principles, and among those principles the Catholic question, such a resistance of that which was said to be sought with an almost unprincipled eagerness was the most extraordinary miracle of modern times. Now, to the divisions upon which he and his friends had differed from the right hon. gentleman: the hon. gentleman had discovered divisions upon those questions so preeminently important, as the window tax, and the assessed taxes, the repairs of the old towers of Windsor, and some other great European or cosmopolitan questions which he had cited. But he would request the hon. gentleman to recollect some of the minor matters which concerned Europe and the country, almost as much as the Gothic windows of Westminster-Hall; to one of which he had the honour formerly to call the attention of the House. His exertions on that occasion were now the greatest happiness of his life; if he were only to except some professional services which he had effected on another occasion, and in which he must glory till the end of his days. He had supported in that House those principles which, upon the same occasion, had been supported by the then Secretary for Foreign Affairs, the now First Lord and the Treasury, although they differed as to the line of conduct to be taken. He reminded the House of the last military invasion of Spain by the French. He had wished on that occasion, that other language should be used than that which was used. But neither he nor any of his friends had differed, in any essential points, from the sentiments of the right hon. gentleman; and, in the end, the question was suffered to turn merely upon that consideration which was proposed by the hon. member for Westmoreland—at all events, we are not prepared to say that we will go to war upon the question of the French occupying the Spanish peninsula. That was the only general question of policy upon which he had differed from the right hon. gentleman, and that was not upon principle, but upon the measures which ought to be pursued in supporting it. As to the division upon that occasion, he remembered very well that he had only threatened it; and at the close of the discussion he had declined the dividing of the House. The fact was, that if he had been ever so well disposed to divide, he could not have done much; for the House at that time wanted what it had now got, a really good factious opposition [loud cheers]. He was very glad of it. He congratulated the country upon possessing it. The place had been long unoccupied; and he had no doubt it would soon be aby filled, especially after the hon. gentleman should have forgotten his official suavity, and had time to attune his infant aptitude for that rough labour. He could give the hon. gentleman some useful hints; having had considerable experience in that way. He thought himself almost perfect in his knowledge of the tactics; and the first hint which he would give him was, that the division to be good for any.
thing ought to be small, and not, as the hon. gentleman thought, considerable and almost overwhelming. The hon. gentleman liked it served up rather warm and highly spiced; but he could assure him that there was nothing so bad in a division as a large opposition. There was so much to be done to conciliate parties—so much to be given up to one—so much to be conceded to another—and so much expected by a third—that nothing could be more harassing and perplexing; not even a factional debate introduced into the middle of the mover's speech [loud cheers].

There was a gentleman whom he did not see—he scarcely knew his person; he had heard of his name; and it was said that he held a place in the Ordnance, under the former government—as he did not see him on the benches opposite, he almost hoped that he would be found on the ministerial side of the House. He believed that that hon. gentleman sat for Bishop's Castle. He was aware of the excellence of that hon. gentleman in the Quarter-Master's department; but, with the vast respect which he felt for his great talents, he wished to see them confined to that department. The hon. gentleman (Mr. Dawson) might take a lesson from that hon. member. Let him be consulted. He would say, "Oh! you won't divide, won't you; but I'll make you divide, just to expose your weakness."—The question of parliamentary reform was one of those cited, upon which he and his hon. friends were said to be at variance with the government. Upon that question, the party to which he had the honour to belong was divided by two opinions—one portion standing in direct opposition to all reform, the other holding for moderate, or, as old major Cartwright used to call it, mock-reform. He differed from this opinion of the major; and differed from those who were opposed to reform in any degree. To call that a question upon which they were bound to remain opposed to the present system of government, or for his friends to have considered it such, when upon all other great questions of policy—passing by those very great ones concerning Gothic windows, lamp-posts, and some others of no less importance which had been cited—it was only one upon which the right hon. gentleman stood pledged—and as he feared, irreversibly pledged—to stand back and hold out upon that question from a government whose measures they approved, and had for some time approved, would have been neither sense nor justice: it would have been folly and injustice to themselves, and dishonesty to the country [cheers]. The causes of their union were to be found in the alteration of the great features of administration, after the death of Lord Londonderry, and the liberal, manly, and truly English feeling displayed by his successor in the foreign policy of the country—in the equally sound principles which guided him in that almost equally grand question of South America—in the liberal and moderate views of the President of the Board of Trade, as to the regulations of our shipping and commerce, and the currency, as connected with, and deeply affecting, the interests of both. These were the three ties which united them, and upon which the country and her policy had derived the highest advantages, since the demise of the marquis of Londonderry. Was his declaration of approving these measures true? He had himself pronounced them. As early as 1812, he had pleaded for them, and to a certain degree defeated the opponents of them. He had, on behalf of them, renewed his opposition to the old illiberal government, when returned to that House in 1816. He fought that whole session against Lord Castlereagh for them. He pronounced them again in a more formidable way in 1817, and divided the House upon them. Was his distrust of the Holy Alliance first awakened by the now vacant places? Why, that alliance was but "in the griistle," when he had endeavoured to rouse the opposition of parliament to it. He had argued against it, as a system weak and inexpedient, any participation in which would be dishonourable to the country, and mischievous to her liberties. For that he had been called a fanatic—a misguided promoter of political disturbance. What objection, it was said, ought he to have to the most harmless of all princely arrangements? What could be less distrustful than this scheme of politics, which, like a grain of mustard seed, being sown in due season, was to spring up and overshadow Europe—so that no glimmering of the light of liberty should break in to disturb the repose of tyranny. He had been called a seer of sights, and a dreamer of dreams, for opposing this notion. These were the very words applied to him by Lord Castlereagh. Nothing so harmless, according to the unsuspecting mind of lord...
Castlereagh, as this union of the Russian, Austrian, and Prussian powers, with our own for the achievement of this beneficent purpose. He had persisted in the opposite opinion. The right hon. gentleman (Mr. Canning), he believed, was not in the House at the time: he was abroad upon foreign business. The demise of lord Londonderry made way for him. He entered office, and proceeded immediately to act upon those principles which he (Mr. Brougham) had moved the House upon in 1817, and which he had defended in 1822. The right hon. gentleman had successfully established a system of liberal and many foreign policy. Upon these grounds and principles he had given him his best assistance. Guided by these principles, and founding his measures on such grounds, in the course of his administration the right hon. gentleman should have from him that which he had a right, in point of consistency, to demand—a cordial, zealous, and disinterested, support.

Mr. Canning said, he rose for the purpose, and not without the hope of being able to persuade the House to replace his hon. friend in that priority, to which, by the invariable practice of the House, he was entitled. He would take leave to suggest to the hon. gentleman who moved this amendment, that proceedings so irregular brought with them generally their own curse, from the disgust which they never failed to excite [loud cheers]. The trick was too bare; and if he thought himself justified in adopting such means, he must not be surprised, nor would he have any right to complain, if upon a division, he found the House declaring its sense of such proceedings, in an unceremonious and expressive manner. Not only was priority due, by long and undeviating practice, to his hon. friend; but, although the interposed topics were perhaps more interesting, he must remind the House, that there were large interests at stake upon the decision of the subject fixed for discussion this evening, which ought not to be lightly risked, and which would not fairly admit of postponement. He could assure the hon. gentleman, however, that he felt towards him no personal malice. He was too old a stager not to be able to bear this attack without resentment. He had, indeed, had to endure the assaults of those benches when filled by other persons, of a quality which he was not likely soon again to experience [laughter]. He could assure the hon. gentleman that none of these little tricks would be able to drive him from his resolution of meeting them when properly brought forward, and disdaining them when brought forward improperly. In one thing the hon. gentleman had accused him of being mistaken: namely, the assertion which he had made in the House on a former evening of six resignations. He had not his papers with him at the time, but with leave from the House he would refer to them now. It was on the night of the 11th of April that he received the resignation of lord Westmorland: of the resignation of the right hon. gentleman (Mr. Peel) he was aware some days before. He received the resignation of the duke of Wellington on the 12th, at half-past ten a.m. Lord Bexley sent in his shortly after. With these, and the verbal resignation of Mr. Peel, he went to St. James's. Those of lord Eldon and lord Bathurst arrived during his absence, and did not reach him till he was in the king’s closet, having been sent after him, according to his directions in case of their arrival. He would state further, that, so far were they from anticipating the resignation of lord Eldon, that the king and himself were each under the delusion that there were the best reasons to expect the support of his services in the new arrangements. This was the exact state of the affair; and, upon his honour, he assured the House, that when he spoke of the coincidence in the manner in which he had mentioned it, he intended no sneer. It was bare justice to lord Eldon to say, that his conduct was that of a man of the highest feelings of honour, and that throughout it had been above all exception. He had received no hint of the purpose of the hon. gentleman; and even now he could not imagine how the production of the patent for appointing the judge-advocate, and laying it on the table, could have the effect of satisfying his anxiety, unless it were, upon the old Cambridge principle, by taking the masts and guns of the ship and dividing by the men, you can get at the name of the captain [a laugh].

Captain Dundas complained of the harsh treatment of his noble relative by the hon. and learned gentleman. He assured the hon. gentleman, that his noble relative cared neither for his friendship nor his enmity.
Mr. Brougham appealed to the House, whether he had spoken of lord Melville otherwise than in the most good-humoured way. He assured the gallant member, that he was mistaken if he attributed to him any ill feeling towards that nobleman. As to the sentiments of lord Melville towards him, he could only say, that he should be very glad of his lordship's friendship, and that he believed he had not his enmity, and that he did not expect to enjoy either. He was so far from feeling enmity to lord Melville, that he heartily wished to see him back in the government.

Mr. Peel said:—I admit that it would be more regular to pass to the question to which I expected this evening would be devoted; but I must say that I am very far from being satisfied with the explanation of the hon. and learned gentleman, as to the principles upon which the present coalition has taken place; and yet a proper explanation of those principles involves questions of the greatest importance, and upon the explanation given would depend the degree of confidence which could be properly placed in the present administration. In commenting on the conduct of the gentlemen who now sit on the opposition bench, the hon. and learned member has adopted the same tone of sarcastic remark, which characterised his speeches when he himself sat on that side of the House. He has congratulated the opposition on the new tone of asperity which it has acquired; but I must also congratulate the hon. and learned gentleman on the promptitude and facility which he has displayed in employing that tone of sarcasm in favour of the ministry, which he so lately employed against them—at least against the head of the present ministry. I cannot help congratulating the hon. and learned gentleman on the facility with which he has fallen into the cast by which, as he himself used to say, the supporters of the old administration were so much taint. But it is a very grave question, whether these gentlemen had not abandoned their principles in the short space of a week, and the subject ought to be treated with another temper. I need not say that I feel no personal animosity against the hon. and learned gentleman. I never did entertain any such feeling towards him, nor do I now. But I am sorry to say that our political differences are as wide as ever, if not wider; for he certainly has not as yet been able to give me a full, satisfactory, and clear explanation of the principles upon which he has contributed to form, and has joined this coalition; and yet a full, clear, and satisfactory account of these matters is, as every one must see, absolutely necessary, before any one can venture to repose confidence in the administration, as at present constituted. What, for example, is to be done with the question of parliamentary reform? Is it to be brought forward in any specific form, and supported by the new friends of the government; or is it to be postponed until all those shades of opinion can be blended of which I have this evening heard for the first time? That question certainly was with those hon. gentlemen a common bond of connection: I do not say uniting every man in its support, but undoubtedly including so many of them, that from it a great parliamentary party took their colour, and derived their name. I should have thought that no government that hoped for the support of parliament, would have countenanced so essential a change in the constitution of this House as the party to which I allude calls for. If these opinions be not countenanced by the new government, on what principles then, I ask again, is the question of parliamentary reform to be discussed? Is it to be left as the Catholic question is? I do not say this reproachfully, for I know I concurred myself in the arrangement, with respect to that question; but I ask, will it be suffered to remain still? These questions must produce the elements of discord in the new administration, unless, indeed, I am to gather, from what the hon. and learned gentleman has said, that parliamentary reform is also to be made an open question; though truly he was not very explicit in his statement. These, however, are points of the utmost importance. I have listened attentively to the speech of the hon. and learned gentleman, but the satisfaction I derived from the explanations he gave, was so far from being complete, that it has, I confess, only increased my anxiety to hear something more of the conditions on which he has agreed to support the new government. When I hear it stated, as one of the grounds of this union, that his majesty was abandoned by his former servants, and that his very prerogative was so put in jeopardy by their secession, that my right hon. friend had no alternative but to apply to his political
opponents for their support; if, for the sake of argument, I admit it to be strictly true, that on that ground the coalition was formed—that its chief, pay, its sole object, was merging every subordinate point, to maintain the prerogative of the Crown, why, then, I ask, if that be the ground, is it not declared as at once? Why do they not show that to be the real reason? Why do they not say that they will forget the Catholic question and parliamentary reform—that they find the prerogative of the Crown in danger, and have rushed forward to defend it? Why do they allow the first places in the state to continue unfilled, like empty boxes, for those who have engaged them? Why, I ask, again and again, do they not come down to this House, and tell us frankly, what are the principles on which they have entered into this coalition? Their conduct, Sir, I repeat, is not satisfactory. It is not suited to the fair dealing and manliness in which this country delights. It does not accord with the principles of the constitution for one party to unite with another, on condition that there should be a period of probation; in order that they may determine whether their principles of action will agree or not. If it be a union of parties, why is it not so publicly proclaimed? Why is not the emergency declared that has rendered this step requisite? If difficulties have arisen, which strong and firm minds are wonted to encounter, why are the public offices filled with merely fugacious ministers? In two months—the probable period when the intended arrangements will be completed—the dangers of the time will have passed away, and with them the necessity for this junction will have ceased, if it be founded on the maintenance of the prerogative of the Crown. I am anxious to see the character of party men, and of the great parties in this country, upheld. I should not be glad, certainly, to see the great Whig party in office. They ought, I think, to be excluded from power; but I should be sorry to see their character as a party, lowered and disgraced. But it will be tarnished, if the principles are not made known, on which the union has been effected; and unless a satisfactory explanation of the reasons why that union has been delayed be given, I apprehend that the character of this party will not, for the future, stand very high with the public. I ask again why this delay? Is it that there are on the Notice-book some incon-

vienent entries, which the members of that party know not how well to evade or erase? What, for example, will they do with the notice of the member for Bandon (lord J. Russell), for the repeal of the Test and Corporation acts? This is another important question, which I suspect will display the material difference that exists between the opinions of those right hon. gentlemen, whom I had lately the honour to have for colleagues, and their new allies. If, after the noble lord has consulted with the leaders of the Protestant dissenters, he should be prepared to move for any further concessions in their favour, I give him notice to a government, instead of one that I will always do so, whether it is or out of power. That, indeed, is a circumstance of little weight or consideration to me. The most cursory view of my past career will shew, that I have been actuated by no ardent desire of office. When I have accepted it, it has always been a personal sacrifice to me. So far as I am personally concerned, I can say truly that I care not whether I return or not. I feel grateful for the confidence of the Crown; but I am, thank God, independent of it. My principles are not changeable with my position. I will adhere to them, through good report and through evil report. It is with these sentiments, that I now say, that the points to which I have referred—parliamentary reform, and the motion entered on the Notice-book, for the repeal of the Test and Corporation acts—and, still more, the Catholic question, have not been explained satisfactorily. I will not deny that I observed myself that, lately, there was between my late colleagues and the hon. gentlemen who have now joined them, on many subjects, a close and cordial alliance. But I do protest, that if I had been told, only the day before the recess, that the hon. baronet, the member for Westminster, would have offered himself to the notice of this House the first night after the adjournment, in order to give his active support to a government, still divided on the Catholic questions—if, after what I have heard the members for Caine and for Knaresborough say in this House, importing all the evils of Ireland to the existence of divided councils in the government of the country, which, they contended, prevented any firm or consistent course of policy from being pursued;—if I had been told, that now, or a few months hence even, they would be prepared to give thier
sanction to the support of an administration still divided on the Catholic question, I could not have believed it possible. On the necessity of putting an end to that system of a divided government, the resolution of the hon. baronet for the relief of the Catholics was founded. Let the House now look at the sincerity with which these principles had been acted upon. In the new administration, it is true, there is no difference between the Home and Foreign Secretaries of State: but we have a prime minister and a lord chancellor opposed to each other, and very recently, in almost personal conflict on this very question. Hitherto, we have had the two law officers of this country united in opinion. The present administration has been the first to disturb this agreement, and, by transferring the chief office to an advocate of the Catholic claims, to create a disunion where before it never existed. Should his majesty's Attorney and Solicitor-general be now called on to advise the Crown on any measure touching the Catholic Association, suppose it should continue, in what a situation will they be placed? It is a fact—one of the curious events of the day—that these two learned gentlemen have both presented themselves as candidates to represent the University of Cambridge, professing to differ essentially from each other on this question, and founding their claims to support respectively on that very difference. These circumstances are so strange—so extraordinary—that it is not by the sarcasms of the hon. and learned gentleman that the public can be reconciled to them. But above all, when I recollect the motion brought forward a few weeks ago by the hon. member for Armagh (Mr. Brownlow), from the very place where I am now standing—which motion, deeply affecting the official character of lord Manners, was supported by the hon. member for Limerick (Mr. S. Rice), who took the opportunity of repeating his conviction, that "all the evils of Ireland were attendant upon that absurd state of things in which a Protestant lord chancellor was conjoined with a Catholic lord lieutenant in the government of that country," how shall I now express my surprise, when I hear, that the first act of the new administration has been, to prevail on the lord chancellor of Ireland to revoke his known intention of retiring from office. With these facts before me, I say that the union of the Whigs with the new administration is an extraordinary coincidence. This is not an occasion on which I can be expected to give expression more fully to my opinions; but as my votes on many questions that will come before me must depend on the degree of confidence I possess in the administration, I feel entitled to call upon them to state, what are the conditions on which it has been formed, particularly with regard to parliamentary reform and the Established church. I see that the hon. member for Montrose yesterday postponed his motion respecting the church of Ireland, avowing as his reason for so doing, that he had full confidence in the intentions of the new ministry, though I believe, from the bottom of my heart, that he will find he is mistaken in his expectation of support from my right hon. friend (Mr. Canning), who, I believe, will manfully defend the church against all his attacks. But when I hear the hon. member for Montrose publicly state such a reason for postponing his motion, I must pause before I give any vote of mere confidence to the present administration, until I know what are the principles on which it is founded, as to parliamentary reform and the other great questions of importance; whether they are to be open, like the Catholic question, to free discussion by every member of administration, or whether those who are called by the name of Whigs are prepared to oppose them when they may be brought forward? [loud cheers.]

Sir F. Burdett instantly rose to address the House, but gave way to Mr. Brougham, who wished to explain a passage in his speech, which had been misunderstood by the right hon. gentleman; who had supposed him to impute the quality of factiousness to the mere common act of asking questions calculated to annoy the government. Now, in fact, he had said nothing that warranted that construction. He did not represent that practice as indicative of faction; but he had said, that it did look something like faction, that when one hon. gentleman had opened a motion, another should interpose with another motion and debate.

Sir F. Burdett then proceeded.—
Though, Sir, the right hon. gentleman has not attempted to answer any one of my hon. and learned friend's arguments, he has thought fit to bring forward a variety of insinuations and personal allusions, and
groundless charges of inconsistency and want of principle, neither to be maintained by reason or justice, nor in any degree warranted or called for by the occasion. I must confess, that the evident soreness of the right hon. gentleman shows—notwithstanding the apparently fair and general professions which he has in this place made, and in which he has denied that he participates in the bitter feelings of some of those who are opposed to the government—that he is nevertheless inoculated with the virulence of the same spirit; or he would not so suddenly have forgotten the manly line of conduct within which he has, up to this time, confined himself. I did not think that the right hon. gentleman was called on for any justification at all. If, on one consideration, he felt bound to resign his situation, I know of no constitutional principle that could be injured by his so doing. He has, therefore, only succeeded in proving what nobody disputed, and in defending himself from accusations which nobody had made against him. But, while he now loses that view of his position, and converts into an attack on the conduct of others what was, in the first instance, only a justification of himself, he must be made to feel how that attack recoils upon its author. In reply, I will tell him, that every word he uttered, the other evening, in his own defence was a complete justification of all those who have acted with me on the present occasion; for, either he had no reason to withdraw from the administration, or we had ample reason to give our support to it [hear, hear!]. I will allow him the full benefit of his principles; and on precisely the same ground, though with an opposite view, I have stood, in maintaining, defending, and promoting my own. The right hon. gentleman has talked a great deal about Whigs and Tories. I am neither one nor the other. In fact, the terms have now no meaning. They are no longer applicable to the circumstances of the country. Though they might be sometimes convenient to indicate the distinction of opposite parties, it would be well if, for the sake of clearness and precision, the use of them were discontinued. The right hon. gentleman, I believe, does not reckon himself a Whig; he aspires to the higher honour of being accounted a Tory. For my part, I class myself simply as an English subject, ready at all times to maintain the principles of

the constitution, and happy in an opportunity to shew that the professions which I made, under other circumstances, I am now prepared to fulfil. I feel it my duty to support the Crown in the just exercise of its prerogative, against any factious band who may, by any concerted design, think to put it in a dilemma, and compel it again to accept their services. The prerogative of the Crown has been exercised in the present case, according to my opinion, in a most fortunate manner for the country. It was not my intention to have introduced any hostility of feeling into this debate, or to invite any expression of anger, still less of animosity. I did hope, that with the candour which he has always professed, and with that discretion which has usually attended him, but from which he has egregiously departed on this occasion, the right hon. gentleman would not have dealt out insinuations respecting the conduct of others, which he must have foreseen would be repelled with equal warmth. I tell him again, that as far as they are intended to apply to me, they have not the slightest foundation in reason or justice. What object of private interest can I have in view? Who, give me leave to ask, can impute any sinister design to me? The right hon. gentleman, notwithstanding all his professed cheerfulness in retiring from office, would, however, appear, from what he has said on the former and present occasions, and considering what his hon. friend, the late under Secretary opposite, has done this evening, to have withdrawn as reluctantly from office as if he were leaving the "Warm precincts of the cheerful day." If the course pursued by the right hon. gentleman was not absolutely irregular, it was undoubtedly not fair; and particularly unfair, when he set out by a promise to adhere to the question before the House, and not to enter upon the discussion of the topics on which subsequently he had exclusively expatiated [hear, hear!]. This conduct certainly seems to be something like casting "a longing, lingering, look behind" [cheers]. The right hon. gentleman best knows his own motives; and he has stated positively, that he and his late colleagues retired together, without any previous concert. The fact, no doubt, therefore, was so; but if there was no actual concert, there unquestionably was a kind of sympathetic concert [laughter, and cries of "No, no"]. The right hon. gentleman has founded several of his in-
situations on what he calls "extraordinary coincidences." Now, I cannot help remarking, notwithstanding the declarations of the right hon. gentleman, that there was an extraordinary concurrence of resignation, in an extraordinary manner. Whether it was intended to intimidate the king, to put him in a dilemma, as I said before, which would compel him again to call back the retiring ministers, I cannot positively declare; but that certainly would be my opinion, if it were not for the direct declaration of the right hon. gentleman to the contrary. When I look at all the circumstances of these resignations, I cannot avoid suspecting that they originated in an attempt unjustly to fetter the exercise of the prerogatives of the Crown. If, I repeat, the right hon. gentleman had not asserted the reverse, and I was guided only by the apparent facts of the case, that would be the natural and inevitable conclusion at which I should arrive [hear, hear!]. One principal ground on which I give my support to the present administration is, because it does practically, and in effect, uphold the king in the just exercise of his prerogative. That is my justification on that point. But I will tell the right hon. gentleman further, that, putting aside all the great questions which he is so singularly anxious to bring under discussion, including among the rest that of parliamentary reform, I see sufficient reason to support this administration [cheers]. The right hon. gentleman seems never to have known that there was a schism on the subject of Reform. It is news to him that there were ever shades of opinion upon it. He was not aware, it appears, that there were as many different views of the general measure, as there have always been of comprehensive political questions. Some are for confining it within narrow limits; others for extending it to the widest. I am ready to vote for any measure of reform. By supporting the present government, I do not abandon or sacrifice one iota of my principles as a friend of parliamentary reform, or any other question on which I may deem it fitting and prudent to deliver my sentiments. As a man of common sense, I must wish to achieve some practical good in my time. If I cannot do all I would, I am bound, without waiting till more extensive views may be adopted, to promote all the good which the opportunity of the passing moment offers me [hear, hear!]. If I can, by my feeble efforts, gain the slightest chance of advancing, in the least degree, the public welfare, I receive all the satisfaction that can be afforded. The right hon. gentleman will taunt me in vain with a dereliction of principle, while he finds me thus engaged. If I can seize and secure any good for the country, I will grasp it. I have dedicated my life to this pursuit, and I shall be too happy if I live to be successful [cheers]. The right hon. gentleman has, unfortunately for himself, also attacked my hon. and learned friend. In this respect, he only followed the example of his friend, the late Under Secretary. Indeed, they go in couples; they hunt together. The difference between them is only in the degree of expression, not in the principle of moderation or wisdom, but simply in words and temper. My hon. and learned friend well said, that the late Under Secretary's language was an honest exposure of his sentiments. It was the honesty of anger, of passion, of uncontrolled feeling, unmitigated, unmodified either by reason or sound discretion [cheers and laughter]. I feel grateful to the right hon. gentlemen for having assumed the same tone. I can now speak of them together. He has done a great service to the new ministry as well as to me. My hon. and learned friend, who stands in the most extraordinary and honourable predicament, has been attacked. But, never was there a public man who occupied so conspicuous a station, which he readers still more conspicuous by the perpetual exertion of his unrivalled abilities for the public good. He, in order to raise no obstacle to what he thinks an advantageous arrangement for the country, loses all consideration of himself in the public benefit. Though qualified to command as a general, sacrificing all pride and prejudice, he serves as a soldier in the ranks. The saying of a great concomitant in a bad cause he has exemplified in the best. He is an instance how a statesman may be suspected and calumniated, though acting from motives of the purest patriotism [cheers]. The commonest considerations, if not of candour, at least of justice, should have induced the right hon. gentleman to have avoided the course on which he has this evening entered. Like my hon. and learned friend, I have — I can have — nothing to hope, to fear, or to expect, from this government. I can have no view of personal advantage. There is
hardly any sacrifice I would not make to remove the obstructions that impede the progress of my principles. It is no small good to have removed from the king's councils that narrow-minded, bigoted part of the late administration, who, perhaps, two hundred years back would have been highly esteemed, but who are in nowise adapted to the century in which we live. Their resignation leaves us nothing to regret, but a great deal to rejoice at. For a long time they have weighed heavily on the best interests of the people; while they clogged the superior intellect of their colleagues, and prevented their advance, in conformity with the advance of public opinion. Thank God, the incubus is removed—the administration is now purged of that dross. His present situation may raise important reflections in the mind of the king himself. When he sees how he is supported by the people against the faction that sought to enthrall him, he will perceive how much safer and more secure, as well as more honourable and glorious, it is for a king of England to have his power founded in the hearts of his people, rather than have its basis composed of factious ambition [loud cheers, and cries of “Order!”]. I cannot refrain from noticing some phrases which are reported to have come out of the mouths of those who have lately done the public the very great favour to resign their offices [a laugh]. These phrases are so singular and extraordinary, that it is impossible to pass them by wholly without comment. The parties to whom I allude have found out, that that portion of the press, which is influenced by the administration of the day, is a soul and calumnius press [hear, hear!]. It is now heaping abuse on them whom it long basely flattered. But while it only operated against their opponents, not a word of complaint was ever heard to pass their lips. As to the right hon. gentleman who has, on this occasion, thought it necessary to secede from the administration, I am bound to say that his language has been, on all occasions, distinguished by a candour and a sincerity which leaves him free from all reproach upon this subject—a candour and a manliness, which those who call themselves of the same party have, happily, I would say, for the country, not had the discretion—I might almost add the decency—to imitate. But what, I might ask, can satisfy the malice of disappointed ambition? What language can express the feelings, the fury, of narrow-minded bigotry, or of the virulence of faction? For I would say, without fear of contradiction from any member upon either side, that, during the whole of the time I have had the honour of a seat in this House, there never has existed a more factious Opposition than that which we now see arrayed against the government [Mr. Peel was here observed to laugh] The right hon. gentleman laughs, and thinks, I dare say, that I am stating a most monstrous proposition, and thinks, perhaps, that he could state some things which would prove those who formerly occupied that station to be entitled to an appellation of quite as much discredit. I challenge him, however, to show a single act of that Opposition which was not, as far as related to the late government, in this House, perfectly disinterested. I defy him to show that any party in this House ever acted upon principles more purely disinterested towards any government, than those who lately occupied that situation. That Opposition supported the government in its attempt to introduce those liberal principles of policy throughout, for which it has received so much credit in the country. It upheld it with that House and with the country, when it was in danger of being dragged back in its course, by that weight from which it is now happily freed, and prevented it from standing ill with the country, from its being connected with those who were hostile to the progress of all national improvement, and whose separation from that government, I may say, without fear of contradiction, has, in the eyes of the people of this country, and of Ireland, freed it from a weight which retarded its advance, which pressed down its energies, and frustrated its best endeavours for the advantage of mankind [cheers]. My right hon. friend (Mr. Canning) has been accused, among other things, of an overweening ambition. That accusation, even if true, is not of any account at all; but he has been accused also of having abused the rights and the privileges which his high situation afforded him, of injuring the reputation of his colleagues, and of slyly and secretly pouring a “lepersy dimittal” into the ears of the king. No man, however, of common candour or common honesty, who had listened to the plain and manly statement of the right hon. gentleman, could give credit to such an accusation. If to
fulfil the slightest wishes of his sovereign with respect to the construction of his government, to give immediate obedience to his commands, and to offer his honest advice with regard to the course which prudence required him to adopt, be to betray the interest of his colleagues, then the accusation may be true; but I can hardly think there are many men in this House who consider the application of such an expression to the right hon. gentleman's conduct on this occasion to be in the slightest degree justifiable. [Mr. Peel here observed, that he had used no such language, nor made any such observation.] I am not now alluding to the right hon. gentleman. I did not say that he had done so; but the right hon. gentleman always seems to think that he only is spoken of—that he only is the person against whom the observations upon these transactions can be addressed. The right hon. gentleman, with all the modesty of his character, did not, when he had occasion to address his statement to the House, forget to mention his services. But the right hon. gentleman ought to recollect, that there may be something else worth noticing; and he ought to feel, that when I speak of such things as these, I cannot allude to the right hon. gentleman, but to the squad [cheers]. If some individuals make charges utterly unfair, and grossly false and unfounded, I may be permitted to allude to them, without being supposed to reflect upon him; while I say, at the same time, that those charges, and the violence and acerbity of feeling they display, afford the highest gratification to me, as displaying a strong confirmation of the propriety of their exclusion, and of the justice of those measures which have been adopted. The right hon. gentleman has asked, however, upon what principles the government now means to proceed upon certain questions of policy? Among others, he has mentioned the state of the Roman Catholics of Ireland? Does the right hon. gentleman, then, not know that principle? Is there no principle resolved upon with which the right hon. gentleman is acquainted? And if, then, there is no principle, why did he quit office? If there was no principle to be adopted upon Catholic emancipation, why did he, upon the ground of that question, desert the king? The right hon. gentleman, in that case, is embarked in the same boat with me. He is equally with me engaged to support the government; or if not, his question is a two-edged sword which wounds only himself, or, at least, the sharp edge is applied to him—the blunt can only be turned upon me. He has not been justified in abandoning his colleagues in office, and withdrawing his support from the government, if I am not justified, under the circumstances, of affording that government all the support which it is in my power to bestow [hear, hear!].—There is another point connected with the question of Catholic emancipation, to which I wish to advert. It is not by the exertion of party spirit, however powerful, that such great measures are to be rendered successful. The emancipation of the Roman Catholics must depend upon the progress of knowledge. It must advance with the advance of mind, and the diffusion of better and more liberal feelings. These are the only means by which I ever thought the question could be supported in this country; and I may say now, that it was never said by me, or by any other gentleman who advocated their cause, that we were prepared to raise the standard of rebellion in this country, unless we obtained our object [hear, hear!]. We have worked, as we must still continue to labour, by argument, and endeavour to still the fears of the timid, and obviate the objections of the conscientiously hostile. We have endeavoured to proceed in our course with the same caution which I trust still to see displayed; and I cannot doubt, by a union of wisdom, of prudence, and of temperance, with that caution which ought never to be abandoned, we shall ultimately triumph. Let us not, however, allow our efforts to be counteracted by the suggestions of our adversaries; nor suffer ourselves to be taunted into a course of folly by those who know that precipitation would be destruction. I think great good has resulted to the country from the cessation of those who were opposed to us—always excepting the right hon. gentleman, to whose merit I would do every justice. It has been said, that a providence had befallen this House: I think that a providence has befallen the country also, in the loss of part of the administration. But whatever part of it have been knocked out, the brains of it, at least, are safe [a laugh]; and having preserved, the intellectual part, I hope it will work good to the country, and promote those great measures on which the welfare and happiness
of the people depend. With respect to Ireland, I have been told this very day, from an authority upon which I can depend, that that country begins already to feel the influence of the beneficial change in the government, and to enjoy the blessings of tranquillity. I hear that the Catholic Association, so long considered formidable to the government, and destructive of the peace of the empire, no sooner saw hopes held out to them of a fair consideration of their claims, and a reasonable prospect of justice being done to their representations, than they seized the opportunity to give a proof of their confidence in the government. They felt that the reign of narrow-minded bigotry—of that intolerant opposition which would, from the most indefensible feeling, shut out the dawn of hope—was at an end. They felt that the light of hope was breaking in upon the darkness of their political degradation, and that they must participate in common with their fellow-subjects in measures of general improvement. The right hon. gentleman has taken his stand upon a spot from which he cannot recede. But the mind of England is not chained to any party-prejudice; it is not, as the right hon. gentleman and his coadjutors have declared they must be, stationary. It is open to argument; it is free to conviction; and it knows how to appreciate the effects of those enlightened principles of policy which I have always advocated, and am now here to support and to defend. And, however satisfactory the reasons of the right hon. gentleman may be to himself, and to those who participate in his prejudices, they will not be equally satisfactory to the country. Convinced that the time must come when the force of argument must be felt, and satisfied that we cannot go back, although I would not now shrink from advocating the cause to which I have pledged myself, and declaring my continued conviction of the propriety of concession, to the fullest extent I have ever maintained it; yet, convinced, I repeat, that there is no standing still—that the intellect of the English people must go on—then it cannot go back—I feel satisfied to trust to its effect, for the ultimate accomplishment of that object which I have ever most earnestly desired [cheers].

Sir Edward Knatchbull complained of the language which had been used to the right hon. gentleman and his friends, as wholly unjustifiable, either from their conduct or expressions. Nothing was, in his opinion, more natural, nothing more reasonable, than that his right hon. friend, the late Secretary for the Home Department, should feel anxious to know upon what principles the government was in future to be conducted, and who were the men to whom the realizing of those principles was to be intrusted. He did not deny that the right hon. gentleman opposite possessed great talent, and great eloquence; but he recollected very well, that a right hon. member (Mr. Tierney), now sitting on a different side of the House, declared but a very few weeks ago, when seeking to know the steps taken in the formation of this very administration, that, although he had heard a great deal about measures, and not men, he had always considered the expression as not very alien from nonsense. Now, that was precisely what his right hon. friend desired to know. He wished the right hon. gentleman to say, who were the men who were to propose and carry into effect the measures. That was what he wished to know himself; not from any object of ooze? curiosity, but from a sense of duty to his constituents and the country. After some high compliments to the manliness of character, and distinctness of expression of the right hon. gentleman (Mr. Peel), and an expression of his deep regret that he did not form a part of the government, the hon. baronet observed, that no man was fit to preside over a divided cabinet, but a man of the high character, profound judgment, and exalted rank of lord Liverpool. It had been his fate to differ from the right hon. gentleman, now at the head of the government upon a very vital question. If that question had been carried in that House, he, for one, protesting against its principles, and deploring the consequences likely to result to the country, would have felt it to be his duty to bow with submission to the decrees of parliament; but, as the opinion of the House had been most decidedly expressed against the entertaining such a proposition, he felt it more imperative upon him to require from the right hon. gentleman some indication of the nature of the principles upon which the government was in future to proceed. Then came the question of what confidence was to be reposed in a minister? Every thing, it was known, in this country, turned upon confidence; and it was therefore a matter of the last importance,
that the person placed at the head of the government should openly avow the principles upon which he intended to proceed.

The hon. baronet then animadverted with some severity upon the topics advanced by the hon. baronet, the member for Westminster, and declared that it was altogether impossible for him, or any other person who had been in the habit of supporting his majesty's government, to continue his confidence to an administration formed of such a strange mixture of elements. Could any thing be so irreconcilable with all the notions entertained of an efficient government, as the fact, that when the right hon. gentleman was asked to explain the principles of his government, that explanation came, not from the minister at the head of the government, but from the hon. and learned gentleman, the member for Winchelsea. It had been said, that the hon. and learned gentleman would be able to give a more active, liberal, and efficient support to the government by not taking office. That his support was efficient, every one who knew his great abilities must allow, and that it was liberal as yet, he was prepared to admit; but he preferred knowing the exact condition in which that hon. and learned gentleman and his friends were placed; for, so long as the right hon. gentleman abstained from entering into an explanation of the principles upon which he was to conduct his administration—so long as he avoided naming clearly the persons of whom it was composed—so long must the confidence of the House and of the country be witheld. [The hon. baronet was vehemently cheered by Mr. Peel and others, during the whole of these observations.]

Mr. Canning said:—I hope the House will permit me to say a few words in reply to the very didactic speech of the hon. baronet who has just favoured the House with his opinions, and in explanation of my observation upon a former occasion. The speech of the hon. baronet refers principally to the reception which I have given to a question addressed to me in the commencement of this debate. I do not object to that question itself, upon any considerations connected with its object; but I must take leave to say, that I have never known, in the whole of my parliamentary experience, those rules which courtesy permits, and which convenience has sanctioned, to have been violated to so great a degree by any member of this House [cheers]. Upon the understanding that the answer is to be a mere matter of courtesy, it sometimes does happen, that a member, without any previous notice, asks leave to put a brief question to the minister, upon a subject of pressing importance. Such I have, speaking from my own recollection and experience, always understood to be the course; but I never, I repeat, recollect any instance of a question without notice being accompanied by a speech such as we have this night heard from the hon. member opposite. This was my impression, and I have since consulted others, who declare it to be correct. That any hon. member, under the pretence of asking a question, should seize the opportunity of introducing a motion, and that motion too thrust forward in the middle of another motion of great and almost paramount importance, the business of the evening, and the discussion upon which the House was most anxiously awaiting, is, I repeat, a circumstance altogether unprecedented in the annals of parliament. To that question thus put to me, and under these circumstances, I applied my observation, when I said, that the attempt was only calculated to excite disgust. There is a consequence, too, resulting from it, which the hon. gentleman does not foresee; and that is, that no minister, if such a course is pursued, will feel himself bound to answer such questions at all. The hon. member made it a matter of complaint against me, and as a reason for his conduct, that I was not in my place at the time he expected, and when he wished his question to be answered. But, did not the hon. gentleman recollect it was usual, in such cases, to have the courtesy to give some notice of a member's intention? If he had given me the slightest intimation that he intended to put any question to me, it certainly should have brought me down instantly to give a reply; but, even then I might have felt not a little surprised at the course pursued by the hon. member—a course so absurd and so inconvenient, that any one must see it could not for a moment be tolerated. I rejoice, Sir, however, that the standard of opposition is at length raised in this House. Such an act is to me worth a thousand professions of qualified neutrality. In whatever mind the feeling of hostility lurks, let it come boldly forth, and boldly
Mr. Canning.—The hon. baronet's explanation makes the case worse than it was. He mistakes, or seems to mistake me, when he supposes that I was denying that I had not answered the question when called upon. My defence begins earlier. I say not, that I did not answer, but that I was not called upon; and I appeal to my right hon. friend (Mr. Peel), whether his observations were not addressed to those members who supported government, and not to the government itself. The proposition is, therefore, ad invidiem in the highest degree [cries of "No, no"]. I say it is. The charge is this, and the hon. baronet has repeated it; he says, government were called upon for explanation. First, he says I declined to make any answer; and by his second indictment, he charges, not that I refused to answer, but let others take it out of my mouth. But I deny the charge altogether. I again appeal to my right hon. friend, whether the whole of his speech was not directed against those who supported government, and to that speech he had received an answer from those gentlemen. Another and a conclusive reason which I have for thinking it was so, is this; that from the knowledge which I have of my right hon. friend's conduct, I am sure he (whatever others may do) has too much courtesy and justice to make a charge in which he knows I am, by the rules of the House, precluded from answering, as I had spoken before. I have no hesitation in saying, that there has been nothing like wilful misrepresentation on the part of the hon. baronet. Whatever mistake he may have been betrayed into is referable, solely, no doubt, to the heat of debate; and, as to any personal feeling, which he may have attributed to me, I can assure him, that I bear anger on these occasions, "as the flint bears fire."

Mr. Peel bore testimony to the correctness with which his right hon. friend had stated the effect of his allusions. While, however, he acknowledged that the right hon. gentleman had set his hon. friend right in this respect, he must contend, that he had a fair right to ask those who had accepted office, under the new government, why they had so taken office? He thought, however, that, throughout his speech, he had most particularly implied, that he was satisfied his right hon. friend intended to adhere to his principles; and, acting upon his own views of the interests
of the established church, he still con-
dered, that he was justified in demanding
of those who had taken office, on what
principles they had joined his right hon.
friend? In conclusion, he could not help
saying, that he looked upon the animad-
versions of the hon. baronet, the member
for Westminster, as totally uncalled for.

Lord John Russell said, he had felt con-
siderable surprise at the irregularity which
the late right hon. Home Secretary had
committed, in at first saying, that he was
about to speak on the propriety of the
House proceeding with the motion of the
gallant general, and then going into certain
charges, at great length, against those who
had accepted office under the new govern-
ment, and giving his own reasons for re-
fusing to do so. Now, as he did not mean
to accept office himself under it, he might,
perhaps, the more readily be allowed to
make a few observations on the speech of
the right hon. gentleman, who had said,
among other things, that he supposed, if
there was any principle of union which
bound together the parties comprising the
present administration, it was the wish that
there should be some change effected in
the constitution of parliament. He was
astonished at this remark; for the right
hon. gentleman might have remembered
to have heard the right hon. member for
Knaresborough, (Mr. Tierney) but a very
few sessions ago, declare his conviction,
and from the opposition side of the House,
that parliamentary reform never could be
a party question in this country. It might
be allowed him also to state a fact, which
he had, perhaps, better reason to be in-
formed of than the right hon. gentleman,
and that corroborated this view of the case.
He himself, some few years since, had ex-
pressed his wish, that the whole of the
party with which he usually voted should
unite to promote the cause of parliamentary
reform, but it then appeared, not only
that most of the leaders of that party were
desirous that it should not be made a party
question, but that the Whig party, if they
should come in as a party, would be op-
posed to it, or to any other measure hav-
ing parliamentary reform for its object.
This fact he mentioned, to shew that it
could not be justly imputed as a crime to
any person, with whom he had been in the
habit of voting, to have taken office on the
present occasion, without having stipulated
that parliamentary reform should be made
a party question. But, perhaps, the right
hon. gentleman expected that he (Lord J.
Russell) should introduce that question
again to the House. It happened unfortu-
nately, however, that the very last time he
had mentioned the question, in the course of
the last session, he had declared that that
would be the last occasion of his doing so.
And why had he made that declaration? Be-
cause he had found a great lukewarm-
ness on the subject throughout the coun-
try. And that growing lukewarmness he
believed to be attributable to the improve-
ment which had taken place in the man-
ner of conducting the government. Whe-
ther the people of this kingdom were right
or wrong in allowing themselves to become
indifferent upon such a cause, it was not
now for him to examine; but he did be-
lieve, that as long as they saw the general
affairs of the country well conducted, and
actuated by a spirit of improvement, they
would not look too narrowly into the con-
stitution of that House of parliament. At
all events, such lukewarmness did at present
prevail; and he had, therefore, found it ne-
necessary to give up the course he had pursued
formerly, of annually bringing this topic
under the consideration of Parliament.
The right hon. gentleman would give him
leave to say, on the other hand, that if
any one thing more than another could be
calculated to produce parliamentary reform,
in a few years, it would be the placing the
hon. gentleman who commenced this de-
bate in one of the highest situations of
the government; for, in that case, and un-
der such political principles, Ireland would
be so afflicted with contending factions,
and all their trains of insurrections and
political misery, that her dreadful state
would furnish an irresistible argument for
the necessity of parliamentary reform. He
too sincerely loved his country to desire
to see parliamentary reform effected at
such a price. Then, again, as to the
right hon. gentleman near him (Mr. Can-
ning), after seeing him for so many years
backed by those who had now deserted him,
and his progress fettered and his powers
clogged, on too many occasions, by the
views of some among those with whom he
had co-operated, he was, also, too happy
to find that right hon. gentleman no longer
so restrained, but at the head of his ma-
jesty's government, to wish to meet against
him the necessity of parliamentary reform,
under circumstances like the present.

Mr. G. Dawson, in reply, began by de-
claiming that he should not divide the
House upon his motion. But he must observe, that a question having been by him addressed to the right hon. gentleman opposite, that right hon. gentleman had got up, and in a manner very uncourteous—and, as he thought, very unparliamentary—had answered him. Of the correctness of that answer, he had nothing to complain; but undoubtedly it would have been much more satisfactory to the country at large, had the right hon. gentleman condescended to reply more fully. Upon the points to which his question referred, he had thought he was justified, as a member of Parliament, and in the discharge of his duty, in seeking for information. Having obtained that information substantially he should not divide the House on his motion [cries of "divide"]. No, he would not divide, but other hon. gentlemen, who desired to do so, might. Before he sat down, he must take the liberty of observing, that the House had little reason to congratulate itself upon the mode in which one of its members, who had so risen in his place for the purpose of propounding a question had been treated. The right hon. gentleman ought to recollect, that for five years he had served with him, and voted with him on the other side of the House; that, for five years, that right hon. gentleman had never met with an uncourteous expression from him; that he had never refused to that right hon. gentleman the tribute of admiration so justly due to his extraordinary talents. All this the right hon. gentleman should have recollected before he adopted the sort of manner he had that evening assumed in answering his question. In introducing the present motion, he had carefully abstained from all allusions, except to state his opinion of the manner in which the right hon. gentleman had attained to his present distinguished station. He must, however, take leave to say, that had he thought proper to go into all the details which had been elsewhere alluded to, he might have recollected some passages in the past life of the right hon. gentleman which would justify, in his own mind, some suspicions of that right hon. gentleman, as a political character—some suspicions touching the manner in which he had got his present office. But he had done no such thing; he had carefully abstained from every such allusion. After what had passed, however, he must observe, that if that right hon. gentleman looked back upon his experiences in past days, his reflections on what had taken place in those days could be of no gratifying description. The right hon. gentleman had thought proper to say, that his motion had been received with disgust by the House. Now, the proposition had not been received with disgust by the House. That such a feeling had been excited in the House, he unequivocally denied; although the right hon. gentleman had certainly endeavoured to treat it with disdain, as far as he was personally concerned. Whatever imputations the right hon. gentleman might, however, have thought proper to indulge in, he trusted that his character, both as a member of Parliament and as a former member of his majesty's government, was sufficient to repel them; and he did so now in the same terms, and with the same disdain, that the right hon. gentleman had himself evinced.

Sir G. Warrender expressed his surprise at such a discussion having arisen out of a question, and a reply, which the hon. gentleman who spoke last, seemed, however, to think of so stinging a character. At first, he had expected that there, would be a degree of neutrality, as between the contending parties, in respect of the Roman Catholic question: and he was the more sorry that that neutrality had not been observed, because he could feelingly declare, that the absence of it had very nearly lost him his election. On the present occasion, he must say, that as fair and honest a factious course had been pursued by the gentlemen opposed to the government, as it had ever been his fortune to witness. The right hon. gentleman, late the Home Secretary—for whom he had the highest respect—in the first place, had deprecated the going into a discussion, which would prevent the House from fully entering into the motion of the hon. and gallant general, and then went on, to his great surprise, into almost every irrelevant topic which could be suggested. Seriously, he must thank the gentlemen who had taken so active a part in fomenting this discussion, because it enabled him to perceive what was the course of opposition which they were attempting to pursue in regard to the right hon. gentleman. To that right hon. gentleman, he, for one, should tender—a most insufficient it might be, but certainly a most cordial and jealous—support. He was afraid he had been but an idle member of parliament; but he had had experience enough, as a member, to
appreciate the very unfair sort of attempt which was making, to surround the position of that right hon. gentleman with all sorts of difficulties, by agitating the Catholic question. To that right hon. gentleman and the government connected with him, he should give his most zealous aid.

The motion was negatived without a division.

Shipping Interest.] General Gascoyne then observed, that if he were now to bring forward his motion, the House might divide upon it; and he therefore thought it would be advisable not to carry it further at present. He appealed to his right hon. colleague to say whether or no the question should not be postponed.

Mr. Huskisson said, he was not prepared to give a decided answer to his gallant friend, as to whether his motion should be pressed at present, or deferred to a future opportunity. The judgment of his gallant friend must decide the question. This much, however, he would offer his gallant friend by way of advice: If he considered the present occasion a fit opportunity for pressing the question to a division, there was no reason why he should not do so.

Mr. Heathcote hoped that further time would be allowed before the discussion of this important question would again be argued. One thing was certain; namely, that while the question relative to the formation of his majesty's government was open to the observations of hon. members, neither this question, nor any other unconnected with the one at issue, would have the least chance of being fairly and dispassionately handled. Suppose the question were fixed for to-morrow, might not the member for Derry again come down, and in the midst of the discussion bring forward some motion similar to that with which he had favoured the House to-night? There never was a time when the spirit of party was so high as at present; and he might truly add, there never was a question brought before the House which required more temperance and less of party feeling than that which the hon. and gallant general proposed to bring forward. The hon. gentleman concluded, by moving, that this question be now adjourned.

The motion was postponed till Monday.
The Earl of Lauderdale said, there was a motion before the House. That motion was, that the House be summoned.

The Marquis of Londonderry said, that if he had been out of order, the learned lord on the woolsack was there to correct him; but if it were supposed that he would be put down by any noble lord, for broadly stating his opinion on any subject, he could tell that noble lord, that he was addressing himself to a man of very different character and spirit from what he expected. The extreme haste in which the noble lord opposite rose to interrupt him, proved that what he was about to say would not be very agreeable for him to hear. He was confident that he must feel a little awkward. He had heard reports, that it was not certain whether some of the noble lords who now occupied places in the cabinet were ultimately to retain them. Being of that opinion himself, he should like for a little elucidation upon the subject. He had heard that the noble lord who was Secretary for Foreign Affairs, and the right hon. gentleman who at present filled the situation of Secretary of State for the Home Department, were not permanently to remain in those offices; that they only held them provisionally, until other noble lords might find it convenient to launch into office. Those noble lords waited a short time to see to what issue the government might come. Was he to understand, that those noble lords who had gone over to the other side of the House were determined to retain their new offices; or did they look upon those offices as only provisionally held? This question was one of so much importance, that it was highly necessary to come to a right understanding upon it. When he looked at the building which had been erected, he found it divested of all its main pillars, and that it was composed now of a sort of rubbish. The artificer had certainly been dexterous in forming the building; but he questioned with its durability. Could he have found out such a mass of rubbish in any other quarter, formed as it were by the two parties. The artificer had made a dexterous endeavour to un-Whig a part of the Whigs, and un-Tory a part of the Tories. In such a situation was the government now placed. Good God! who could without pain look back for twenty years, and now see the country in such a state, that if one went along the streets he heard every man saying—"Good God, what will become of this?" Was the first lord of the Treasury permanently resolved to attach himself to that party, and those political persons, to whom, for the last twenty years, he had been opposed? Was he disposed to take them into his councils? He should like to know whether the appointments of the government were real, before the great question came on, to bring forward which a noble earl had wisely given notice; and he should like to learn also, whether it was thought that a government could carry on the business of this country with only a provisional arrangement? There was one point more which his feelings induced him to touch upon. That his noble friend, who had been lately elevated to the peerage, and who had in early life walked hand-in-hand together with him, under an individual who had carried the glories of this country to a higher pitch than any other minister—-that that noble lord should at this moment find those individuals, to whom he had been opposed for the last twenty years, now supporting the government, and quietly contemplate such a state of things, he could not understand. He was consistent in the view which he took of this subject; and though he might be told, that it was not right to state these things, yet his feelings were too strong to allow him to be silent. He did not attempt to take a part in public affairs; but the present state of things was so peculiar as to force him to state his sentiments. In the new arrangement, some noble lords had been elevated to that House; but they must not come there to lord it over the House, or to put down any of their lordships when speaking his sentiments.

Lord Goderich said, he thought he should be wanting in respect to their lordships, among whom he had been so recently introduced, if he abstained from making a few observations, in consequence of what had fallen from his noble friend; for so he thought he must still call him, although he had been pleased to designate him as part of the rubbish of which the government was formed. But if that government was composed of rubbish, still he would not consent to be beaten in detail by discussing incidentally, any subject that might be introduced; especially when a noble earl was prepared to open a strong battery upon the building, which was to blow all the rubbish away. Let that be done. He asked no better; and he cared
not one straw for the consequences. The only circumstance which placed him in the situation he now held, and the only circumstance which made him a member of that House was, an anxious desire on his part to prevent that very dissolusion of the government, with a wish to cause which he had been reproached; for, if he had not yielded—he would not go into details—to the most earnest representations not to press his anxiety to relieve himself from office at a time when, if he had pressed his desire, it would have endangered the existence of government—if he had not yielded to those representations, he should before now have taken leave of public life. He therefore asked for a fair field and no favour, and would abide by the result.

The Marquis of Londonderry did not mean to apply the term rubbish to the noble lord. He had formed part of the old administration; and he meant to apply the term to those only who had newly come in.

The Marquis of Anglesea observed, that he was, in consequence of that explanation, designated as part of the rubbish. After the plain explanation he had given of the motives which induced him to accept the situation which he filled, he should not trouble the House with any further observations.

Lord King stated, that allusion having been made to a building, he would give an explanation of the word rubbish. Any person who was practically acquainted with building houses must know, that what was sent away from the building was the rubbish. The noble marquis seemed to have a mist before his eyes when he wished to see an end of the present government. The noble marquis thought that it could not stand; but he was convinced that it would stand, in spite of all the efforts that might be made to the contrary. The noble marquis had stated, that the architect found great difficulty in making a foundation; but he thought that the present building, with the scaffolding before it, was much more ornamental and more useful than the old building. As the noble marquis was a general, he would remind him of the answer given by a French general to a German officer, who, after drawing out his battalions, offered to fight the Frenchman. The French general said, that it was his plan never to fight but when it pleased himself; so that the noble lord need not feel surprised, if those persons whom he had been addressing should act directly contrary to his advice.

The Marquis of Salisbury said, that the present subject had been brought on by the intemperance of one of the cabinet ministers. He had thought that a noble lord, long practised in that House, would not have interfered to put down a noble lord not in the habit of addressing the House. With respect to what had fallen from his noble friend, he had no doubt but that some part of the present cabinet held their offices only provisionally. He understood that the noble lord at the head of the Foreign Department held his situation only provisionally. He was greatly surprised that his noble friend should have taken place. Indeed, they all seemed to feel an anxious desire to retain place at the expense of political consistency. He believed that the hon. gentleman at the head of the government had, from his love of office, placed himself in a dilemma from which he would not easily extricate himself. He was under the necessity of bringing forward that measure, of which he had so long been the distinguished and violent advocate, or else he was deceiving the country. Ambition was his ruling principle. His ambition had deprived the government of those illustrious men, who had so long conducted public affairs to their own credit, and to the great benefit of the country.

The Earl of Harrowby hardly thought it necessary to say a single word upon his interruption of the noble marquis. He had conceived that the question had been put and carried; and under that impression, he had interrupted the noble marquis. He believed every one would acknowledge it to be impossible for him to interfere for the purpose of preventing any noble lord from stating his views and sentiments, whether they might be more or less pleasant to him. He was happy that the noble lord opposite had given notice of his motion, and that their lordships were to have a full and complete discussion; for he did not like to take up detached parts of a subject. Though he was there in his place, he was not there by his own wish. On the contrary, his wish would have been, at the period of life when his faculties for official duty might be supposed to be diminishing, to withdraw himself from the public service: but he had not hesitated an instant as to the line of conduct which he had to pursue. The reasons which im-
New Administration.

ceased him to take the course he had followed, there would be a future opportunity to explain: but in the meantime he would say, that if a man could practically do any thing which would lead, more or less directly, to procure that object, the attainment of which was the most to be desired of any object in the whole political hemisphere, there was no sacrifice of feeling, no sacrifice of personal views, which a man was not bound to make. No greater sacrifice could have been made on his part, severer as he was from his political and personal friends. He was grieved that he was no longer sitting beside them; but that was not the only sacrifice he had made; and there was nothing which he would not willingly sacrifice, rather than take away the smallest grain or atom of his weight from that scale which he wished to predominate.

The Earl of Wincillex withdrew his motion, and said that he would, on Monday, fix the day when he would call their lordships' attention to the state of the nation.

House of Commons.
Friday, May 4.

New Administration.] On the motion, that the Committee of Supply be postponed till Monday,

Sir T. Lethbridge said, that he should oppose the going into a committee of supply on that day, as the opinions which he entertain'd of the title of the New Administration to the confidence of the country were such as would render it impossible for him to acquiesce in any grant which might be proposed. The observations which he was about to make would hardly be agreeable to the hon. gentleman on the other side; and some which he had intended to make he should be compelled to postpone, in consequence of not seeing the first Lord of the Treasury in his place; but, for those remarks which he had to offer, he believed the present was a perfectly fit and competent time. He did not mean to say that, in consequence of what he had to offer, the House might feel itself bound to stop all supplies to his majesty's government, but still he thought, that both the House and the country should look with jealousy to the measures of the present crisis. Report said, that a part of the existing government was merely provisional; if so, the state of things was one of the most unprecedented and unconstitutional of which he had ever heard. It was true that no direct question had been put upon this subject; and perhaps if such a question were put, it would meet only with the same description of answer which had been given to the questions of last night by the first minister of the Crown. He confessed that he had been shocked to hear such an answer as that to which he alluded, given from such a place. As the right hon. gentleman was not present, he was precluded from observing upon it; but he hoped to have an opportunity of noticing it when the right hon. gentleman was in his place. It had been the custom for questions to be asked from the opposition side of the House, and not to be answered— as they had been last night— by a single sentence from the right hon. gentleman, which his best friends could hardly have heard with satisfaction, and which, on all other persons, had made an impression which would not easily be erased. Now, he wished to know whether the existing government was provisional; for if it was provisional, what confidence could the country place in it? The last place in which he had ever expected to find himself was, opposing his majesty's government; but being there, he would do that which he conceived to be his duty. He would do this in spite of the taunts, and the tirade of ridicule, and, he might almost say, of the load of insult, which was attempted to be fastened upon all those who questioned the propriety of the recent measures. He, for one, would not be so put down. He stood there as a representative of the Commons of England, and he would execute the trust committed to him to the best of his ability. And he confessed that when he had heard, on the last night, the first minister's declaration of his intentions and opinions upon many important political questions, and compared those views and opinions with the known tenets of the hon. gentlemen who sat around him, he was at a loss to conceive any principle upon which their coalition could be defended.

What confidence could the House or the country place in a ministry made up of such materials? What confidence could the people of Ireland have in the conduct of those persons, who, having a hundred times protested against the thought of taking office, or supporting government, unless upon the condition of the Catholic claims being granted, had
now volunteered their aid to an administration, by which those claims were not to be made even a cabinet question?—The hon. baronet then proceeded to defend the late ministers from the charge of cabal,—an accusation which had however already been triumphantly refuted in another place. The duke of Wellington, too, had been charged with assisting in the cabal, as it was called, of the resigning ministers; but his grace had come out from it with unimpeached honour. He had justified himself in a fair, open, plain, and manly way; and the only effect of the calumny would be more deeply to rivet him in the affections of the country; which would thenceforth look up to him with a still greater confidence. He was glad, therefore, that the charge had been made. He regretted the secession of the late ministers, yet one good resulted from it; namely, that it would be known where men of firmness and consistency, in whom the country could confide, were to be found. For his own part, he approved of those who would abide by their principles, without suffering themselves to be overcome by the temptation of place and power to desert those principles for office, however great and valuable the advantages. He was aware that, constitutionally speaking, the king had a right to fix on any man whom he chose to prefer for his first minister; but it was plain that the Crown and the country might be left in a dilemma, if his ministers should leave it in doubt, what principles were to guide the government. What if, in either House of parliament—[The hon. baronet was interrupted by a slight murmur with mirthful symptoms which gradually passed round the benches, without any cause perceptible in the gallery, until Mr. Brougham was seen moving up by the Speaker's chair to take his seat.] That was one among many other reasons why he could not place confidence in the present government [a laugh]. He was not aware of the cause of the murmur which had just now taken place, but he found that it was occasioned by the entrance of an hon. and learned gentleman, who was certainly a great actor; not at all new on their boards, though new in that seat. He had been told the other night by the hon. and learned gentleman—he wished to be allowed to call him his friend—he hoped that they might be friends. [Mr. Brougham signified his assent.] There was no man whose assistance he would be more anxious to get if he had a cause to try in the courts below. Of that opinion he had given proofs, and there was no man whose opposition he would more deprecate in that House; and he would say why: the hon. and learned gentleman had got such an uncommon way with him of turning every thing into such a pleasant course of ridicule, that he had never experienced any thing like it from his boyhood down to that day. He challenged any one, whether from the history and proceedings of that House or of any other place, to name his fellow. For his part, he was only a plain country gentleman; but though he was not able to speak well, he had the courage to do his duty. Certainly, if there was any thing which he detested doing, it was speaking. But not all the splendid ridicule used in castigating him—not all the insults which might be shown him—indeed he had received no insult from any body, although he had seen it thrown about, lustily upon others. He wished this to be understood—to insult he would not submit: to ridicule he supposed he must bend. He hoped the hon. and learned gentleman would be as sparing of him as possible on this occasion. But, whether he would be so or not, he would do his best in stemming that torrent which he thought threatened mischief, and ultimate ruin to the country; however feeble might be the support which his opinions received. But, what did he say? Feeble support! No such thing. There would be soon support strong enough. There would soon be others to take those places which he and his friends, he felt for his own part, had too rashly taken up. Their voice would be heard, because it would come from breasts which were true to principles. Those (the Opposition) benches would shortly be filled by men of consistency and honesty; who would support the cause with talent and ability answerable to this great occasion. He was sorry not to have had the attendance of the right hon. first lord of the Treasury. But though not now present, the right hon. gentleman would be there on other occasions, when the House would have full opportunity of discussing grievances. The motion before the House was for fixing another day for the motion of granting supplies. He saw no reason for fixing another day for that motion. It was impossible for the House to have confidence in the new government, and certainly not...
such confidence as to vote it any supplies; so that there could be no occasion for fixing another day. He was for determining the point now. He knew that this course was open to objection, and that there was something of an invidious appearance in his adopting it. But still he felt himself justified in doing so; and he hoped that the House, if it were angry with him, would take no other mode of expressing it, than by showing him good and sufficient reasons that it was not fit now to be pursued. One word on some of the terms which had been applied to him and his friends in the discussion of last evening. They had been called a factional opposition. He would be candid enough to admit, that he did not approve of the course taken by the late under Secretary. He had not been consulted upon it beforehand, or he would have dissuaded his hon. friend from adopting it. He had shown that he did not approve of it, because he had not said a word in support of it; he believed that he had given a few cheers, occasioned by the remarks which were made in the course of the discussion. But now, as to the word faction, it was a word easily expressed, and had a tremendous effect when expressed from the lips of the hon. and learned gentleman. But he was now only following their own advice. Had not the right hon. member for Knaresborough expressly told the right hon. gentleman, that he would not consent to vote a shilling, until the administration should be settled? But there was no administration settled. Would they call that a settled administration, where half the places were to be filled up? And then, what right had the hon. and learned gentleman behind them to give them his support without taking office? Why, he was dishonest to his own cause in refusing to take office. He ought to have refused to support them, unless he was put into the best office under the Crown. He was depriving the country of the use of his abilities in acting as he had done. He had no more right to be sitting where he was than he (rev. T. Lethbridge) had to be sitting on the opposition benches. He ought to come down three steps. Why, he was the first spokesman they had. Of all the men he ever heard, the hon. and learned gentleman had, in the greatest perfection, the talent of ridicule. He could make the best arguments of those he opposed go for nothing. He hoped the hon. and learned gentleman would not do so with him to-night. He hoped, for this once, he would allow what had been said to have its full weight. After the speech which he had made, he really thought that he was entitled to some consideration from the House. The hon. baronet, the member for Westminster, had said, that he was neither Whig nor Tory and that there were no such distinctions. He would not talk of it, if the House did not like those terms; but as he understood it, there were two different parties, in the country professing opposite principles, and he thought it useful for the country. The people knew where to find them when they were wanted. He admitted that that hon. baronet had taken a most honourable situation on the benches opposite, provided that there was no compromise. If there was any compromise, then he must declare his opposition to the course taken by the hon. baronet. He felt that he had a great duty to perform towards his country, and he would go through with it. The country looked up to the hon. baronet. His high station, his aristocratic birth, his long line of honourable ancestors, and his own qualities, gave him a great weight; but what must they think of his coalition with the right hon. gentleman? It was plain from the speech of the right hon. gentleman, that he was as much a Tory as ever. Did he not still promise to oppose parliamentary reform. Did he not say that he would oppose the repeal of the test and corporation acts? Why, there was not a Whig who heard him, but must have shrunk at hearing him, and have said within himself—"Egad! this is not the man for me." There was not a more able man in that House than the right hon. gentleman, no man could be better acquainted with parliamentary tactics: no man ever had shown greater force of persuasion or power of language. He objected, however, to the paring down of those principles which had supported the country, and to the tacking to the opposite sides of the House, in hopes of office. It looked like that greediness for the loaves and fishes, of which they had heard so much talk. There were a number of offices still kept open. What could that be for? Were they kept as baits to catch others? Why were they not filled? Perhaps the intention was, that they should go back to their constituents. It might be that, in case of opposing government with too
...and the necessary effect of not postponing the motions to a day fixed, the government might find it necessary to take some other steps to elude the difficulty. As to the arguments, he would be ashamed to detain the House one minute upon them. They were the fragments of a speech, which the hon. baronet ought to have made three weeks ago. It was hard that ministers should be opposed for no other reason than that they were supported by some gentlemen who thought better of the present government than of that which the hon. baronet favoured. He entreated the hon. and learned gentleman behind him not to draw that evening upon those inexhaustible stores of wit and ridicule which he had at his command, according to the alarmed apprehension of the hon. baronet, but to abstain for once; especially as the House had enjoyed enough of the ridiculous for one occasion (cheers, and a laugh).

Mr. W. Peel was sorry to detain the House by stating some reasons differing from those of his right hon. relative for resigning his employment. Independent of the feeling which they had in common upon the Catholic question, he saw no reason for confiding in the government of the right hon. gentleman. His confidence was placed in the ministers who had resigned, not in those who retained office. He admired the talents of the right hon. gentleman, and he had no fear, while he was assisted by the cooler heads and more regulated minds of the ministers who had now left him; but, when he saw him surrounded by a crowd of visionary theorists, of political economists, and the professors of what were called the liberal principles of the present day, he could not look without alarm at the dangers to which the country was exposed; nor view without apprehension the perils into which it might be precipitated. He did not think that there ever was a greater delusion attempted on the country than the formation of the present cabinet. Six out of the eleven persons, he would venture to say, would not hold their situations long. If they were really joined by the noble lords whose influence they boasted, why did not those noble lords join them in an unequivocal manner? It might suit the views of those noble lords; but how would it suit the country? Were the affairs of the Foreign and Home Offices fit objects to be trifled with? This was not the way that the country ought to be governed. He was of opinion, that the
Government gave no sufficient security for the Protestant establishment. The appointment of the first Lord of the Treasury increased his apprehensions. He did not know how the coalition was effected; but he thought that there must be a sacrifice on one side or on the other. The greater the sacrifice the greater the compliment to the right hon. gentleman. Indeed, the right hon. gentleman seemed to be fortunate in the readiness of his friends to make sacrifices. An hon. baronet gave the House to understand last evening, that he was ready even to sacrifice his dinner [a laugh]. He had not actually used the word dinner; but from the tone and manner, and the time of the evening, it was easily inferred that dinner was uppermost in his thoughts.

In conclusion, he repeated his conviction, that the new government was so defective that it would not satisfy the country.

Sir G. Warrender said, that he had not been much misunderstood by his hon. friend and colleague. He was quite ready to give his support to the new administration, and he intended to give up dinner and all other amusements which would interfere with that object. On this account he must postpone the agreeable society and comfortable entertainments which he had had the honour to enjoy in company with his hon. colleague, till the end of the session. They would each recover their good humour, and would meet over a good dinner with renewed satisfaction. At present, there seemed to be a little too much soreness among some members of the House for the loss of places [cheers] to allow them fully to enjoy themselves. But, after the session he trusted that their convivial parties would be renewed with mutual satisfaction.

Lord Castlereagh complimented the hon. baronet on that sound display of truly English feeling which the House had witnessed. He would tell hon. gentlemen opposite, that he sat there as an independent member; eye, as independent as they were when sitting on that side. He hoped more independent, as he would compromise no principle to get over to the other side of the House. He could not reconcile it to that duty which he owed to his constituents, to give any support whatever to such an administration as the present. On one occasion, however, they should have no cause to doubt his cordial co-operation: he alluded to the Catholic question, which he hoped the ministers would put upon a proper footing for the sake of Ireland. The fate of that country at least ought not to be tampered with by the intrigues, or private purposes, of party. She ought to know how she was to be treated, and what she had to expect from a government professing to be favourable to her dearest interests. He had been only a short time in that House; but he confessed that, had he been an experienced member, the appearance of things would have given him cause to tremble. Such a manifestation of detailed artifice, and even trickery, had never before been exhibited. This being the case, he wished to know on what foundation the government of the country stood? What did the right hon. gentleman mean to do with that great question, to which he had so long given a support, the sincerity of which could not be doubted, and with an eloquence which did honour to his talents? Let the right hon. gentleman beware how he tampered with public opinion. He stood upon the brink of an abyss, and ought to beware how he precipitated himself into it. Until he understood the real position of the government, he could afford no confidence. He said this with no hostile feeling; but because he was bound, as an independent man, to do justice to his constituents. He had been returned by them in the most independent manner; and he owed them a similar confidence: he had not even been pledged to support the late government, much less one constituted like the present, which should receive from him the most undisguised, unqualified, uncompromising opposition.

The motion was agreed to.

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**HOUSE OF LORDS.**

*Monday, May 7.*

**Catholic Emancipation.** The Bishop of Chester rose to present a Petition to their lordships from the city of Chester, against granting any further concessions to the Catholics; and in presenting it he felt himself called upon to say a single word. He had not, on any occasion, felt any great anxiety to vindicate himself from reports; but, on the present occasion, it had been said publicly, that he had been the instigator of the present petition, and he must therefore distinctly and solemnly assure their lordships, that he had not heard of the petition until he had received it to present to their lordships. Though he
might, on several occasions, have stated what his own opinion was, and might have referred to the popular opinions, he never had, since he had sat in the House, nor when the subject to which the petition referred was under discussion in parliament, been the instigator of a single petition.

Earl Grouse said, he had been requested to support the prayer of the petition. It, however, could never be supposed that he approved of its prayer. He was not surprised at his right rev. friend disclaiming all connexion with the getting-up of that petition, after it had been unjustly reported that it had been prepared under his authority. He was also readily disposed to be satisfied with that disclaimer, for he knew that the people of Chester had such a horror of Popery, that it had induced them to send up a second petition to their lordships, during the present session, against Catholic emancipation. He believed there was no place in England where the horrors of Popery pressed themselves on the minds of men, women, and children, in so great a degree as in Chester. Though he did not expect any rapid progress towards the change of that feeling, yet he did expect that, ultimately, a change would take place; for some friends of his residing in Chester, had lately assured him, that they began to entertain a different opinion upon the subject of the Roman Catholic claims to that which they had formerly held.

The Duke of Sussex said, he held in his hand a petition relating to the same subject. It came from the Roman Catholics of the province of Connaught, praying to be relieved from those penalties under which they laboured, and to participate in those civil rights from which they were now excluded. In presenting this petition, he thought it his duty to say a few words, in the first instance, to support the prayer of the petition; and likewise to state the reasons which had prevented him from presenting the petition sooner. When this petition was first handed to him, he had been prevented from attending to his duties in that House, on account of being engaged upon their lordships' committees; and afterwards an event had taken place, which caused him to delay still longer presenting the petition. But, seeing that so great a number of petitions against the Catholic claims had been presented to their lordships, he thought he should be acting unjustly towards the individuals who had placed the petition in his hands, if he delayed any longer to present it. The subject was one which had occupied his serious attention, and he humbly stated that his opinion was totally unaltered; but at the same time he must be permitted to observe, that the question was one of extreme delicacy and importance, upon which it was requisite to go with the feelings of the country. It was highly necessary not to urge forward this question with violence, or offend the public mind by haste. The question was one which required time, and ought not to be hurried. He never considered, that the subject should be forced unwillingly on the country, and still less that it should be got rid of by clamour. The question of the Catholic claims had never been considered as a party question: it had been left open to every one to vote as he pleased. With that view of the subject he had always voted, and with that view of the subject only he should always vote; but if the question was to be made the standard of a party, he would not give to it the aid of his voice.

Ordered to lie on the table.

**NEW ADMINISTRATION.** The Marquis of Londonderry, in rising to move for some information, in addition to that moved for by his noble friend a few days before, which would enable their lordships to form a correct estimate of the state of the Foreign Office, spoke to the following effect:—If the noble lords opposite will get up and state, that the present administration is constituted as it is to remain—that it is not, in the view of the noble lords opposite, merely provisional—then I will not persevere in pressing this subject on your lordships, or move for those papers which I now mean to ask for. But, unless they make such a declaration, I shall feel it my duty, not only now, but at every subsequent opportunity, to ask for such information as will enable us to see what is the state of the offices held by the noble lords on the other side. My noble friend said, the other night, he wished for a fair field and no favour; and my noble friend will do me the justice to believe, that I am not a man who wants anything but a fair fight. I think I have served my country sufficiently long to entitle me to try a little to find out what is going on, and I shall bring forward motions until I see in what state the government stands. Its present position is quite a new one. Is it
only a provisional government? Are not many of the noble lords whom I now see merely the shadows of office? I have read of a shadowless man; but, in my humble opinion, the First Lord of the Treasury has many shadows. I mean to move for a return which will elucidate the present situation of the Foreign Office, and what it was when it was held by my most lamented brother. It was said, that, in this department, the expenditure has been much increased since then. I believe also, as it is stated, that the First Lord of the Treasury has taken care of himself, and that he has made sure of being provided for—that he has actually received a pension of 3,000l. a-year for his services. I want to ascertain exactly what is the situation of the Foreign Office; and, therefore, I shall move for the Returns I shall mention. If, however, the noble lords opposite will say the government is not provisional, I will not press the motion. But, until the point is ascertained, I will continually and repeatedly call on the House, till the end of the session, to ascertain this point. It is said that the Secretary of State for the Home Department is provisional, and that the First Lord of the Treasury is to return to the Foreign Office; seeing that the patronage and appointments are so great. This is only a report, but I believe the report may be true. I am told that, in a short time, the Secretary of War is to take the office of Chancellor of the Exchequer; and that the First Lord of the Treasury is to unite in himself that office with the office of Secretary for Foreign Affairs. When I hear those things stated, I wish to know the grounds of this desire, on his part, to return; and therefore it is, that I shall move for some Returns to show the extent of the establishment. I see a change in all the offices of the country, from that state in which the wisdom of our ancestors had settled them. I see a change in those established systems which the greatest statesmen and the wisest men of this country have approved of. They are all of a sudden overturned, and new arrangements made. We have a new administration, in form as well as in men. Of the navy I speak with humility, for I know nothing of it but of the army. I know nothing more; and the army is now to be so regulated, that the whole patronage is to be thrown into the hands of the ministers. It has always been customary for some person to be placed at the head of the army, who knows how to select the officers, and who can give officers of merit that promotion which their character deserves; but the army is now to be entirely regulated by the Secretary of War. The fact is, that difficulties are every where 'met with, because nobody knows whether he is to remain in office or not. I declare to my noble friend (lord Goderich)—to whom, privately, nobody bears more affection than I do—that I am sorry to see him numbering in his ranks those noble lords who have long been the champions of reform. He has united himself with a democracy, who have always been acting as if they were aiming at a Revolution. I speak my opinion freely of the situation of the country; and this is also, I believe, the opinion of every rational man. I give notice, my lords, that I will seize every opportunity of endeavouring to find out on what ground the government stands. I am but a humble individual to undertake such a task; but I do it conscientiously. I have no feeling but that of duty. I should not certainly have quitted my usual course, and have pressed myself on your lordships' attention, if I did not think it was my duty. It becomes a man of spirit to declare his opinions, and I declare that the present administration is the most contemptible in the whole range of history. I speak with submission, and mean nothing personal to the individuals. I speak not of noble lords individually; but to the administration as a whole. But I must call this the most trifling and mean arrangement I ever heard of; and this stops far short, I believe, of the general opinion of the country. When I see the noble lords now sitting opposite, place themselves under the direction of my noble friend, to carry into effect some little arrangements, to get over the business for a short period, and that then the parliament, as it is said, at least the House of Commons, is to be sent to the right about—so I understand the President of the Board of Trade has stated elsewhere—I ask, are we to go through the session with one hand tied, and not know who are to be ministers and how we are to be governed? There are some great names in our history, such as Pitt and Fox. Would they, I ask, have submitted to such a system as this? Would they have consented to make a part of a provisional government? If the noble Lords opposite will stand up, and say this is not the case, I will waive my
purpose, and will not move for the papers which I propose to have laid before your lordships. If not, I declare, that day after day, I will show up the drivelling, the contemptible position, in which the public men of our time are placed. There are some other points into which I will enter. I will state to your lordships some of the reports in circulation. I am entitled to do this, though I am not able to prove them to the House. With respect to these reports, they do no credit to the noble marquis on the opposite side; and he and other noble lords would find nothing so easy as to contradict them. In stating them, perhaps I may be accused of indiscretion; and I know that I run a great risk that what I state may not be true. I will not go into the details of all this provisional arrangement, but I will state in what manner it was made. Your lordships may perhaps attempt to arrest my progress, and perhaps I may be written down by a vile and a venal press [hear, hear!]. I know that I shall be assailed by ridicule, on every succeeding day; but that shall not stop me from pursuing my course. I know, and your lordships all feel, how disagreeable it is to be so assailed; but I will not be stopped, whether the attempt be made to arrest me in this House, or to beat me down by a venal press; because I will tell both, that all their ridicule passes by me "as the idle wind, which I regard not." It is reported—and if I state it, I may perhaps induce noble lords here, and right hon. gentlemen in another place, distinctly to deny it—it is reported, I say, that an eminent barrister, a member of the other House, did make certain overtures respecting himself and his party, and respecting a noble marquis and his party, to the First Lord of the Treasury [hear, hear!]. I beg leave to state, that I give this on no authority; it is only a rumour. But, at the same time that the overtures came, they were received and put into the right hon. gentleman's pockets. He held no consultation as to these overtures, and had not made acquainted his colleagues with their nature. He pocketed them. Some time afterwards, the First Lord of the Treasury went to Windsor, and while there a certain use was made of these overtures, and that brought about the connection, into the particulars of which I will not enter further. The result is there to show what took place, and to show what were the consequences of the learned advocate's overtures, and the noble marquis's adherence to them. I will also state to the House what has been said of the manner in which his colleagues were treated by the First Lord of the Treasury. They were kept entirely ignorant of the whole proceeding until ten days afterwards—entirely ignorant of the use made of these overtures at Windsor. There has been a great deal of talk about cabal, by which the present administration has been formed; though, if the report be true, there is another word which would be more appropriate than cabal. I should call it an intrigue. If the overtures were concealed ten days after the negotiations were closed with the other party, there has been nothing before like it in our history, if I except some proceedings in the year 1809. How this came to be known I am not acquainted, but secrets will come out; and the First Lord of the Treasury found it necessary to tell one or more of his colleagues, the Secretary of State for the Home Department for example; when that gentleman asked him what was the date of the overtures, and then exclaimed, "Good God! Is it possible that you can have had them in your pocket a whole fortnight, and not have communicated them to any of your colleagues?" Are these things true, I ask, or are they not? Will the noble marquis stand up and say that no overtures were ever made? Will the First Lord of the Treasury deny what is loudly proclaimed? I declare I have no information [loud cries of hear, hear!]. Noble lords cry "hear!" but though I have no particular information, these things are reported in public; and let those to whom they apply deny them, and I shall be the first to throw myself on the indulgence of your lordships. Let those I have named say the reports are incorrect, and I shall be the first, not only to acknowledge my error, but to request the indulgence of your lordships, and humbly to ask pardon. Nothing is more easy than to deny such assertions; and if they be denied, I shall not follow up this motion. If this provisional government continues, I shall feel it my right, and my duty, to assail them in every possible manner, until the real state of the circumstances are known; and I hope, before long, to hear the truth acknowledged, and to see some arrangement made for a permanent administration. The present one cannot receive any support, composed
as it is of Whigs and Tories. I declare to God that the noble marquis is in a position in which I should not like to stand. He is like a fish in the water—propelled by his tail. The tail of his party has forced him into office. He has left the great post he occupied, on the side of the House whence he dealt forth the thunder of his eloquence, and he has walked over to the other side, and placed himself under the direction of my noble friend. I have a great respect for my noble friend. We have known each other long, and we respect and love each other; but I must confess, that I think him not at all to be compared to that noble marquis, whom we have all heard with respect and admiration; not at all to be compared, I say, to lord Lansdown [Order, order!—not at all to be compared to another noble lord, who has notwithstanding descended from his high pinnacle, and now condescends to serve en second under my noble friend. This is my general opinion, and I have thought proper to state it; because, on all public occasions, one feeling in me is paramount to all others—the feeling that I ought to do my duty. I have acted on this feeling in every situation, and will act on it while God pleases to prolong my life. I acted on it for twenty years while I was a soldier; and I now feel it more necessary than ever to do so. It is the duty of every honest man to stand up in his place and speak his opinions, when the abominable and ungrateful press of the country is shewing its abuse on the illustrious duke who saved the country, and secured it its present glory; when it is made the instrument for paralyzing the public mind, and neutralising all parties, spreading abroad vile and abominable principles, and running down the greatest man of our time; when this is the case, it is not possible that he should not recall to the recollection of the country those periods when the late administration held the reins of government; and it was impossible that administration would shine, in the records of history, to the present, like the sun to darkness. The noble marquis concluded by moving; 1st, for a Return of all appointments made by the Secretary for Foreign Affairs, whether at home or abroad, since January 1st, 1822, specifying the Nature of the Office, the Salary, the Name of the Persons appointed, as well as the Salaries of all Ministers, Consuls, Secretaries, and other Officers appointed by the Secretary of State for Foreign Affairs, and distinguishing the Total Expenditure of the Foreign Office; 2nd, for a Return of all the Extraordinary Expenses of the Foreign Department since 1822; 3rd, an Account of all the New Appointments made by the Foreign Office since November, 1822, to the present time, stating the cause why the Appointment was made; 4th, for a Return of the Names of all Persons under the Administration of the Foreign Office, from the Secretary of State to the lowest Officer, who have retired from office with Pensions and Allowances, since September, 1822, up to the present time, distinguishing for what Services the Pension has been granted, and under what Authority; stating also, if the Grant has been made with the authority of the Lords of the Treasury. The last Return, the noble marquis explained, included ambassadors and other diplomatic characters. He had himself had the honour to fill a situation of this kind, and he wished to know if the noble lords who had held these situations had received, or ought to receive, pensions? He had served eleven years, and was not one of those who had obtained a pension.

Lord Dudley and Ward replied to the noble marquis, but parts of his sentences were inaudible below the bar. We understood his lordship to say, that their lordships would not expect him to follow the noble marquis through the vast variety of topics which he alluded to, and which it would have been much better had he omitted altogether, or at least deferred them until the day when the motion of which his noble friend had given notice should come on. As the noble marquis had thought proper to allude to him, he should beg leave to trouble their lordships with a few words. He should not go into all the charges of the noble marquis, but should confine himself to that one which related to his acceptance of the office he had now the honour to hold. —I accepted it (said his lordship) because I was convinced, by the opinions of those whom I respect, that by so doing I might humbly and honourably serve his majesty at a time when the services of his subjects were more especially required: How long I shall continue to hold the office which I now occupy, depends on his majesty, and on my conviction that I can serve him usefully [cheers]. But, be that continuance longer
Appeals. This arrangement would give him four days for the court of Chancery—a period which, he trusted, would be found sufficient to keep down the business of that court. He must say, that it would not have been just towards himself to launch him at once into the hearing of all the Appeals now before the House, and to require him, at the same time, to dispose of all the business now in arrear in the court of Chancery. If their lordships would grant him the indulgence which, he thought, he might in justice require, he would pledge himself, before the next session, to perfect a plan, with reference to the business of his court, that should secure its performance regularly, faithfully, and accurately [hear, hear]. The arrangement now proposed was merely temporary; and, notwithstanding what had been said about lord Liverpool’s administration, he might observe, that it had had the good fortune to meet with that noble earl’s approbation.

The Earl of Lauderdale did not object to the arrangement of the business itself, and did not wish to throw the heavy duties of the court of Chancery and of this House upon the shoulders of the lord Chancellor; but his objection was, that whoever might be appointed to take part in the performance of those duties should be enabled to do so as a member of that House. He was sure there was none more capable, in every respect, than the learned individual whose commission had been now read; but he objected to the anomaly of appointing an individual to try appeal cases there—an employment of the highest confidence—when that individual, after having formed his judgment, must propose it to a peer before it could be received by the House.

Lord Holland said, that, as a member of that House, he must object to noble lords using expressions, which seemed to convey the idea, that the learned law lords sat in that House to try and decide appeals. The right to try and decide appeals was not limited to any one noble lord, or to any particular peers in preference to the rest; but resided in every member of that House equally. They were all “peers;” and that one word showed that they were all equal. It was the duty of every man in that House, as a lord of Parliament, to sit and insist in the hearing of appeals. If the deputy Speaker or the lord Keeper was, as by the constitution of that House he might be, a com-

Catholic Emancipation

HOUSE OF COMMONS.
Monday, May 7.

Catholic Emancipation—New Administration. Mr. M. Fitzgerald begged leave to withdraw his notice of motion which stood for to-morrow, for “recommending that the House of Commons shall take such course as may be best calculated to realize the policy in which the Union of Great Britain and Ireland was recommended to the Legislatures of both Countries.”
The Speaker asked, to what day the right hon. member meant to postpone it? Mr. M. Fitzgerald replied, that he meant to withdraw the notice altogether.

The Marquis of Chandos begged to call the attention of the House to the declaration of the right hon. member when he originally gave the notice in question, that it was absolutely necessary that some measure should be adopted immediately for the purpose of restoring tranquillity to Ireland. Having changed his seat, with his seat, the right hon. gentleman seemed to have changed his opinions; but perhaps it might be as well if he would assign his reasons for withdrawing a notice given under the circumstances just mentioned. It seemed, that now certain honourable members had gone over to the other side, they were not allowed the same free exercise of their judgments which they formerly possessed; and he was inclined to think, that this was the true cause why the notice was not merely postponed, but entirely abandoned. He hoped that other gentlemen would not desert their principles as well as the side of the House they had formerly favoured with their presence, and thus teach the country, which once admired the character of an English Whig, to look upon it as disgraced and degraded.

Mr. M. Fitzgerald said, he should be most anxious, if the forms of the House permitted him, to offer some remarks upon what had fallen from the noble lord. He presumed that in bringing forward his motion, or in abandoning it, he was at liberty to exercise his own discretion, and was responsible to no person. If, however, he was less responsible to any persons than to others, it was to the decided and unqualified enemies of the claims of those, for whose interest he professed to act.

Sir T. Lethbridge rose to order. The right hon. member, he said, had an undoubted right to withdraw his motion without giving any explanation of his motives for doing so. There was now no question before the House, and any further conversation would be irregular.

The Speaker said, that the right hon. member was unquestionably out of order; but he ought to have called the noble lord to order in the first instance. His attention, however, was occupied at the time, by some questions proposed by members near the chair, and he did not hear what was passing. The House, perhaps, would permit him to express his regret that the hon. baronet had not detected the disorderly proceeding, until one side had been heard. He had to entreat, that, if he was expected strictly and rigidly to carry into execution the orders of the House, gentlemen would not be offended if he refused his attention to those who beset him with questions, whilst business was going forward.

Lord Belgrave presented a petition from Chester, against the Catholic claims. The noble lord observed, that the granting of emancipation would, in his opinion, be the most effectual means of diminishing the influence of the Pope in this empire; but he hoped that ministers would not bring the question forward, until the time was favourable for its discussion.

Sir H. Hardinge.—I rise to take this occasion of remarking on what occurred a few minutes ago. I perceive that the Catholic question is to be sacrificed to a political object. We have recently had repeated instances of the abandonment of motions relating to Ireland, of which notice had been given by hon. members, who used to sit on this side of the House. They have been postponed sine die; so that Catholic emancipation is not, as the hon. baronet (sir Francis Burdett) observed, the sine qua non question, but the sine die question; for now we find it is never to be brought forward. I have always voted for the Catholic claims, and I always shall vote for them; but I must almost despair of an opportunity of doing so, if I find the warmest friends of the measure in March declaring, that nothing but repeated discussion can procure success, and in May that success depends upon its not being discussed at all. This is a contradiction I do not know how to reconcile; and I shall be happy to hear any hon. gentleman make the attempt. On the 6th March—the very last occasion on which the claims were discussed—I heard the right hon. gentleman, not now in his place, state, that if there was a chance of success for the Catholics, it was to be obtained by repeated discussion only. Now, we hear nothing but of a perfect abandonment of the Catholics and their just rights; and I beg leave to ask, what has happened between March and May to produce this strange and sudden alteration? Not two months ago, one of the present ministers of the Crown asserted, that the Irish people were kept in a state of persecution and oppression; and is it
Sir, let me ask, that he, after such a declaration, should refuse to bring forward a motion for the relief of the Irish people from such a condition? What has passed to-night is virtually a complete abandonment of their claims. Why hon. members, who formerly opposed the right hon. gentleman should now attach themselves to his fortunes, God only knows; but the fact is so. They happen to agree with the right hon. gentleman on one question, and on only one—Emancipation; they disagree with him on every other, and especially upon parliamentary reform; and yet they join him with as much eagerness, as if there were not a single point of difference between them. I now see an hon. gentleman enter the House, who has been spoken of publicly as the future judge-advocate; and I assert of him, that for eleven years he has been constantly opposing a line of policy which he now comes to support. It is impossible that such a state of things should be permanent, and it is said, that the present government is only provisional; but, whether it be or be not provisional, it is quite evident, that for some purpose, of which we are not informed, the cause of the Roman Catholics is to be abandoned. In good faith, in common consistency, in common decency, I call upon the hon. gentleman opposite to bring forward this question. Their own character, their character in the country, requires that they should explain their motives. I know that no hon. member need answer the question, if he does not choose it; but if he at all wishes to stand well with the people at large, he must answer it, and must answer it satisfactorily; for their good sense will not be put off with idle excuses. There is something suspicious, something monstrous, in this union; and it ought to be explained for the sake of consistency, and not because I or any other member ask the question. I just perceive the hon. and learned member for Winchelsea (Mr. Brougham) entering the House; and what did he state on the subject of the Catholic claims? On the first occasion when it was mooted in this House, after the right hon. gentleman came into office, he declared, that the right hon. gentleman had been guilty of a monstrous piece of political turgidion and truckling, in order to obtain his object. This was in the year 1823; and the reply of the right hon. gentleman was most energetic. I do not wish to repeat the words used, and to revive unpleasant feelings and agitation; but the statement of the gentleman was, that the right hon. gentleman, now his right hon. friend, had given a monstrous specimen of truckling to get into office. He at that time blamed the right hon. gentleman for accepting office upon such terms; yet now be has done exactly the same thing himself. He has made some stipulation or other, that the Catholic claims shall not be brought forward; because it seems it is not found so easy to overcome the difficulty of the Coronation Oath. Formerly, the Catholic claims were to be obtained by repeated discussions; and now, because they are found objectionable in a certain quarter, they are never to be discussed at all. I believe the right hon. gentleman has found this out, and that he has now pledged himself to a particular line of policy. I say, then, that the Roman Catholics have been sacrificed to the desire of office, and that enough has already been done to alarm the Protestants and to deceive the Catholics [cheers].

Mr. M. Fitzgerald.—The House will perceive, that I lent myself unwillingly to the interruption of the regular course of its proceedings. If any hon. gentleman had asked me, in courtesy, out of the House, on what grounds I abandoned my motion, I should have told him, with the utmost pleasure; and I have now no objection to state them in a few words. My reason for withdrawing my motion on the measures expected to arise out of the union with Ireland (which motion I now was intended to comprehend the whole Catholic question) was simply this—because I considered it would be injurious to the Catholic cause to bring it forward. That I bold to be a sufficient motive; and if I wanted any confirmation of its sufficiency, I find it in the approbation of the Catholic body. At the largest aggregate meeting, representing the feeling of the Catholic nobility, clergy, gentry, and the public, perhaps ever held, there was found only one individual to object to the proposition, that the discussion of the claims should, for the present, be avoided. That is my justification, and an imperative consideration with me, why I should not bring on my motion. That decision I consider completely controlling my opinion upon the subject; and no person professing zeal in the cause can, in common sense, desire at this moment to press it forward. I leave it, then, for those
who profess friendship for the cause, and who array the inconsistency of others, to account for their own consistency, in placing themselves in the ranks of its implacable enemies. Is it supposed that there is any mystery or collusion on our part? We avow our feelings upon the subject most openly and unreservedly: and, were it not an unreasonable inter-
ruption of public business, I should not hesitate to state them at greater length. It strikes me, that nothing could be more ungenerous or injurious, than now to bring on a premature discussion; and, in giving
this opinion, I speak the general sentiments of the Catholic body. Although such would be my answer, if required in courtesy, I deny the right of the noble lord, or any other man, whether sitting on this side of the House or on that, to require me publicly to give the explanation. I deny it on parliamentary grounds; and if he presume to question my motives, give me leave to say that I deny it on other grounds. I should be glad to know whether I have not just as good a right to ask the noble lord why he has placed himself on that side of the House, as he has to demand of me why I sit on this? Why does he range himself with the Opposition of that government which he formerly so strenuously supported? Let me tell the noble lord, that I stand here, because I wish to lend my support to that party which is most adverse to the sentiments he expresses. I cannot conceive a more imperious public duty, than to resist that cabal to which the noble lord belongs. I stand here, further, to give my humble aid to an administration which, however embarrassed by faction, I do believe, contemplates the general welfare of the empire. Above all, I give it my support, because I feel convinced, that its real object is, to promote the happiness of my own country—the dearest object of my affection. In my opinion, it would be mean and contemptible, by pursuing a middle course, to withhold support from those who, in times of difficulty, undertake the arduous situation of ministers of the Crown. I object to the extremely modern course of perverting every question into an attack upon ministers; and I think it ought never to be permitted without an attempt to repel it. As far as I am concerned, I challenge any man to impute improper motives to my conduct during the twenty years I have been in public life; and I repel any insinuation that may be thrown out against it, either by the noble lord or others, be they who they may.

Lord Hotham said, he had never given a vote on the Catholic claims, or on any other question, as a mere party question; but he rose now, to declare, that, after all he had heard and witnessed in that House, since the change which had been effected in the government, he had fully made up his mind to give his support to those gentlemen who had lately been called to office by his majesty. He felt unfeigned respect, at the same time, for those members of the late administration who had gone out, and regretted, that in any allusions to them the word conspiracy, how casually soever, or with whatever qualifications, had been made use of. But, would any body who observed the course which the business of tendering in their resigna-
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PO-a; upon which I think it
that none of the advocates of liberty had abandoned their principles.

Lord Althorp said:—I feel, Sir, that I should not be doing my duty, if I did not rise on this occasion, to express my opinions on the matters which have been so much alluded to in the discussion. When I first saw the list of the gentlemen, of whom his majesty had been pleased to form his new government, I confess it was my wish, as it was certainly my expectation, that I might be able, generally, to support them. That wish, and that expectation, have been very much increased and fortified, by the discussions that have subsequently taken place in parliament. Some doubts might, in the first instance, have suggested themselves to my mind, from the circumstance of the junction which has been effected between the new government and some of the hon. friends with whom I have usually voted; but those doubts, I am bound to declare, are entirely removed. Indeed, Sir, it is impossible for us not to see, that the time is now arrived, in which we must choose between a government actuated by liberal and enlightened principles, and one of Toryism in its most odious forms. Beyond all doubt, from the right hon. gentleman who has been placed at the head of this government, I differ widely on two most important questions; namely, Parliament- ary Reform, and the repeal of the Test acts. I regret to find that here is an administration with which, upon these topics, I shall not agree; but I should be worse than a madman if, on that account, I should either refuse to go along with, or vote for the dismissal of, a government, which, on so many other subjects I may concur with, and which it is obvious we could not replace. Other grounds, I know there are, upon which I must anticipate that we shall not, in some points, coincide; for example, the Catholic question. I think that that ought to be brought forward as a cabinet measure, I think it ought to be so introduced, in consequence of its vast importance; and also from the conviction that it can never be brought forward so effectually, as in that shape. But here again, if I were to vote against the gentlemen opposite, because they decline to discuss this as a cabinet measure, I should be only displacing them, in order to bring others into power, who would make it, in truth, a government question, but only in so far as might regard their determinations never to concede it [hear.] It is upon these grounds that I shall give to the government of the right hon. gentleman, generally, my most decided support.

Mr. R. Coborne was anxious to declare how entirely he acquiesced in all the observations of his noble friend. No doubts, in the arrangements which had been recently made, there were some things which required explanation, and which it would have been more satisfactory to the public to have found no mention of at all. No doubt, too, if the thing was to be done, "it would be well it were done quickly." But, after all deductions made, and after all that had been said to the disarrangement of the new government, he must acknowledge, that most of the individuals composing it possessed his entire confidence; and this, his favourable impression of them, had been much strengthened by the tone and tenor of recent debates. He had no blame to impute to those members of the late government who had resigned their situations. He did not care with what motives they had taken that step: he had no doubt their reasons were very sufficient ones; and, at any rate, the House should recollect that they had resigned, and were not turned out. A word before he sat down, as to some charges that he had heard from the other side against the Whigs; as if the Whigs had given their assistance to the right hon. gentleman from a desire of office. He himself, could not be supposed to have any object of that kind in view; and he must contend, that, for many years past, the Whigs had acted in the fairest and most honourable manner, in the disinterested assistance which they had occasionally rendered to ministers. In the present instance, they had given the right hon. gentleman a very handsome and disinterested support. In conclusion, he must be allowed to express his regret at the tone which had pervaded some of their discussions lately. There was a sort of irritation in them, that he was truly sorry to observe. Whether this arose from a
want of temper, or from repentance on the part of particular individuals, he did not know; but he must say, that if it proceeded from their repentance, or from any desire to get back to the position they had quitted, those individuals were taking the surest course to defeat their own purpose.

Lord Nugent said, he was not anxious to prolong the debate; but wished to be allowed to answer for himself, upon some points which, for the party to which he belonged, collectively, had been answered before. Having during the whole of his parliamentary life, until lately, been in opposition, he would explain the causes which now led to his being seen in a contrary situation. His opinions upon the Catholic question, it was unnecessary for him to repeat; but he was not ashamed to declare, that in conformity with those opinions, he had once thought he never could give his support to an administration divided upon that question. He had, at the commencement of the present change, looked to the formation of the new cabinet, and had hoped to see it formed united upon that question; but he found that he looked for such a cabinet in vain. So late, even, as on last Tuesday night, he had intended in fact, in consequence of what had occurred, to change his seat in that House; but when he heard the speech of the right hon. member for the university, that speech had shown him his mistake, and pointed out to him the line of his duty. That speech disclosed to him clearly what the policy of the new administration might be expected to be: that its support might be considered as decided to that great question of Catholic emancipation, which, in the emphatic words of his right hon. friend near him, he felt to be a measure "wise in the name of policy, and just in the name of God." He felt that if the present administration was destroyed, a party would be forced upon the country in its stead, which was systematically opposed to Catholic emancipation, and to every other principle of liberal policy which was calculated to redound to our advantage, or to our honour as a nation. Under such circumstances, and with such a choice, it was impossible for him to hesitate. The hon. gentlemen on the opposite benches, if they questioned this feeling, not only did injustice to the gentlemen who had acted with him, but betrayed a want of knowledge of themselves. They asked, what could be the bond of union between the right hon. First Lord of the Treasury and parliamentary reformers? The answer was—that if they wanted that bond of union, they might find it in themselves. It was the hon. gentlemen themselves who formed that substantive and very sufficient bond of union, which had fixed him and his hon. friends to act with the right hon. gentleman. The Whigs had been twitted with the opinions of the government which they supported upon the parliamentary reform question, and upon the repeal of the Test act; the last of which questions he regretted that the right hon. gentleman opposed. When those questions were brought on, the House would find, that neither his opinions nor his conduct upon them would be qualified or changed. He should, as he had always done, give them his warmest support. In the mean time, the friends of the Catholic question—the greatest question, as it appeared to him, which was undecided in the country—had every interest in supporting the present administration; and they were indebted to the right hon. gentleman at the head of it, no less for the firmness of purpose than for the loftiness of mind, which he had displayed in its support. He would trouble the House no further than by declaring, that the right hon. gentleman should have his support, as long—to adopt his own words, on a preceding evening—as he continued to deserve it.

Mr. Maberly said, he had come down, on Thursday last, for the purpose of endeavouring, as soon as he could, to avoid those storms which he saw, from the spirit of the times, were likely to arise. Having taken a prominent part in the financial measures of that House, he perceived, when the government was re-modelled, that it might be put to him, why, on their Notice-book, he had no motions outstanding, on a variety of those subjects, the discussion of which he had always thought so important to the country? The explanation which he felt bound to give, after the taunts of a noble lord—after what had been said by a gallant officer—and notwithstanding the recommendation of another hon. member—he should now enter into; lest it should be imagined that he was designated, as the hon. member who had wilfully sacrificed his principles. That any hon. gentleman had wilfully sacrificed his principles, was an accusation which no difference of political opinions
could have induced him to prefer against any member of that House; but it was a reproach which should not attach to himself, for the honourable individuals to whom he had alluded should hear the course that he had pursued. He had, on different occasions, brought under the consideration of the House the repeal of the Sinking Fund, of the Dead Weight act, and a requisition for a committee to examine into the Financial State of the Country. He considered that these measures were equally necessary now; and, notwithstanding any imputations that might be cast upon him, they were measures which he should continue manfully to stand up in his place and advocate. He thought the noble lord had now an answer to his charges, as far as these measures were concerned; and, from this unqualified statement of his continued adherence to them, he expected he should not be again accused of having sacrificed his principles. But he would not have it supposed that, unless the right hon. gentleman should meet his views on these questions, his own sentiments would suffer any alteration. If he might venture to ask so much of the right hon. gentleman, or rather to urge it upon him as a suggestion, for he did not look for an answer to the proposition—he would recommend to him, most strongly, to grant a committee, early in the next session, to inquire into the financial situation of the country. Still, if the right hon. gentleman’s notions should coincide with his on these matters, he would suspend the whole of these measures for the present, because he would not embarrass the operations of the existing government. If the right hon. gentleman would, next year, grant a committee for taking all these subjects into consideration, he would carry him (Mr. M.) most completely with him on all financial matters. And if from that committee hon. gentlemen should come out with different impressions on these questions from those which he anticipated they would entertain, he himself must be bound, in justice and honour, to acquiesce in their decision. He repeated, that he did not now ask the right hon. gentleman for an answer; but he felt satisfied, that if the right hon. gentleman would adopt this recommendation, he would unite in his views a number of gentlemen on both sides of the House. He was sure that the appointment of such a committee would be a measure which they would contemplate with the greatest satisfaction; and from which the country at large would derive the greatest benefit. In the eyes of the country, this would completely establish the government. It would be seen that it proceeded in the most liberal and intelligent spirit, and that it was composed of elements so well combined, that their operation could not but be beneficial to the state. With regard to the measures which might be hereafter proposed by the right hon. gentleman, whenever he brought forward such as should appear to him just and proper, he should have his cordial support. If any of the measures of the new government should appear to him to be of a different character, he trusted that he possessed sufficient independence as strenuously to oppose them.

He begged to add a few words on two very important subjects. If any hon. gentleman thought proper to bring forward the question of Parliamentary Reform, he would support him. If any member should propose the repeal of the Test acts, he would also support him. But, if those questions should appear to be propounded for the purpose of embarrasing the operations of the government, or of sowing discord in the country, he would, without hesitation, vote for the previous question; or, if necessary, even meet them by a direct negative. And this he would do, because he thought that the present administration comprised such elements as had hardly ever before belonged to a government in this country. It combined almost all the talent in the kingdom; that was to say, all that was left of the old ministry, and all that was acquired in the new members. It moreover combined all the discretion that was left of the former government; and discretion was a consideration next in importance to talent alone. For his own part, he found himself placed in this dilemma—was he to join those gentlemen or not? If not, with whom was he to combine? He was scarcely like to meet with more liberality, and certain of not finding more talent, in their opponents. With regard to the present government, the opposition to it seemed to him a fictitious opposition. An hon. baronet, on a former evening, had said, in so many words, “I will not allow you to postpone your committee a single day; I will stop all your supplies.” Now, it was a curious fact, that this was the very member who, on one occasion, when he (Mr. M.) wask
unaltered, and the committee should sit, that the House should consider these measures to which he had already alluded, and answered, "No, you are wrong; do not stop a single day; the public service suffers by your proposed postponement, however short it may be; and, whatever estimates are put upon the table, immediately vote." Having the choice, then, between the present government and their opponents, he should undoubtedly exercise it, by giving to the right hon. gentleman his entire confidence and support, in all the measures to which he did not feel in principle opposed.

Mr. Canning said—Although it was certainly my determination not to be provoked to take any part in this discussion, arising out of extraneous matters, I am yet, not provoked indeed, but induced by the speech of the hon. member for Abingdon to address a few words to the House; more particularly as the attention of the House has been a second time diverted from the business before it, by the speech of my noble friend, as I hope I may still call him. I am pleased, also, with the opportunity of answering the hon. gentleman who spoke last, and answering him on what he is courteously pleased to say, he does not put to me as a question, but as a recommendation only, and in respect to which the House, I think, may probably be glad to hear me state my present intentions. Now, Sir, it is undoubtedly my intention to propose, early in the next session, a committee of Finance, similar to those which were appointed three several times during Mr. Pitt's administration; after him in 1807, during Mr. Perceval's government; and again in 1817, on the motion of Lord Blexley. It is my intention to propose such a committee, and to submit to its consideration the whole state of our revenue. I ought in justice to add, that it was fully the intention, during the last session of my right hon. and now my noble friend (Viscount Goderich) to lay before this House such a proposition; and that intention would have been executed, had not public events taken so extraordinary a course, as to drive him, at that time, from his purpose; and, had not the state of the country been subsequently such as to preclude any immediate expectation of bringing such a measure to a successful issue. I am the rather glad that that measure was postponed, because, without desiring, by this statement, improperly to raise the hopes of the country, I do feel justified in saying, that its condition is gradually, slowly, but perceptibly, improving. Under these circumstances, whatever may be the ultimate disposition of this House, after we have looked at the financial situation fully in the face, and after this committee shall have brought its labours to a close, I shall best discharge my duty, and best consult the interests of the country, by keeping all things this year as quiet and as undisturbed as possible; by avoiding all resort to extraordinary measures, and by shunning every thing which would promote agitation, or excite speculation of any kind in the community.

Having stated thus much, in the hope that it will not be unacceptable to the House, I shall, in the next place, propose to proceed on Friday, in committee, with the votes of supply; and I have to state to the House, that, unless any accidental cause should arise to prevent me, it is my present intention to submit to the House my financial statement for the year, before the Whitsum-holidays. I shall proceed with the votes in the committee of supply, next Friday evening, and then will be the legitimate opportunity for all those who have made up their minds to evince their loyalty to their king, and their anxiety for the interests of their country, by postponing the supplies—to proceed with their opposition [cheers]. I should hope, Sir, that this will be the last of these extraordinary debates, and that the House seeing that an hon. and gallant officer has a motion before it, relative to the shipping interest, and that so many gentlemen connected with that interest are waiting at its doors, it will, at least, condescend to hear them [cheers].

Lord Milton said, that notwithstanding the intimation with which the right hon. gentleman had so properly concluded his speech, he trusted that the House, and that right hon. gentleman, would allow him to detain them for a few moments, in order that he might express his heartfelt satisfaction at what he had just heard fall from him. He was very sure that the country was in a state which loudly demanded that the whole of its financial concerns should be submitted to a committee; for unless his majesty's government, in that committee which the right hon. gentleman intended to propose in the course of the next session, should be able to organize such arrangements as should
make our expenditure more commensurate with our revenue, or our revenue with our expenditure, than was at present the case, all the distresses and calamities which had weighed on this country for the last twelve months, would not only not be redressed, but would be grievously aggravated. What had fallen from the head of his majesty's government that night, and from his noble friend (lord Althorp) in respect to that government, was so satisfactory in the one case, and so entirely expressed all that he felt in the other, that it was unnecessary for him to add one word more, except to express his confidence in the administration of the right hon. gentleman.

Mr. Alderman Wathman had no hesitation in saying, that it was his wish to support the present government, and hoped that their measures would be such as to enable him conscientiously to support them. This much he thought it desirable for him to state, as one of the representatives of the capital of the kingdom.

Sir H. Hardinge said, he did not understand the mysterious and shuffling manner in which the Catholic question was attempted to be smothered.

Ordered to lie on the table.

Consolidation of the Criminal Law.] Mr. Peel adverted to what he had stated on a former evening, that he would postpone, from that day, the notices which stood relative to the bills for Consolidating the Criminal Law, in order to give an opportunity to the gallant general opposite to bring forward a question immediately interesting to the Shipping concerns of the country. He was now ready to do as he had promised. He had informed his right hon. friend, who had succeeded him in the Home Department, that he was perfectly willing to take any course with those bills that might be consistent with his wishes. He had told him, that he would either continue the management of them through their remaining stages in that House; or, if his right hon. friend chose to take that duty on himself, he would give him every assistance in his power. His right hon. friend thought that, as he (Mr. Peel) had been occupied several months in preparing the clauses, it would accord better with the public interest, as it would probably meet the general concurrence of the House, if he continued to superintend the bills. He assured the House, that he would undertake with the greatest pleasure, both now and at any future period, that, or any other task, having for its object the simplification and consolidation of the criminal code, and the mitigation of severity in the administration of the law. Every exertion he could render for that purpose would be given with the same devotion as if he had remained responsible for the conduct of the Home Department. He should not name a distant day for resuming the progress of those bills, but one sufficiently distant to enable him to have the services, not only of his right hon. friend, but of the Attorney and Solicitor general. He could not avoid adding the expression of the gratification he felt at having received from a noble and learned lord (Tenterden)—at whose elevation to the peerage he cordially rejoiced, and who had contributed so materially to his assistance in framing these bills—a declaration, that, if it pleased the House to send those bills to the House of Lords, he would willingly take charge of them there.—The right hon. gentleman finally named Monday, the 21st, as the day to which he would postpone the orders standing for that evening.

Shipping Interest of the Country.] General Gageoyne, on rising to bring forward his motion for a Committee of Inquiry into the state of the Shipping Interest, observed, that a subject of more importance could not engage the attention of parliament. He was aware of the feverish state of the times; but he denied that this question had any connection with the political events of the day; and those who considered the period when he first gave notice of the motion would be sure, acquit him of any intention of inflaming the heated spirit of parties. The petition which he had presented on this subject, from Liverpool, was signed by a numerous body of respectable shipowners; two hundred of the principal constituents and supporters of his right hon. colleague. [The noise which prevailed in the House, from the commencement of the gallant general's speech, at this time nearly rendered him inaudible.] He was aware that he had, personally, no right to claim the attention of the House; but he trusted they would hear what he had to say, in consideration of the importance of the subject. He had the greatest admiration of the talents of his right hon. colleague, and on any other subject would
not presume to contend with him. But, so decided was the conviction of the shipping interest, that there was not one port, from one end of the kingdom to the other, that had not represented the grievances it was suffering. He feared, however, that his right hon. colleague was so identified with his principles, that it could hardly be expected he would or could separate himself from them; yet, in any observations he might make, he had no intention of applying any thing he might say personally to his right hon. colleague. The House would remember, that a few years ago some material alterations were made in the Navigation laws. The maxims which had been venerated for centuries by our ancestors, and handed down from generation to generation, had been not only questioned but subverted. When the Navigation laws were passed, England and the different ports of the continent were on a par as to their situation in respect of money. This country had then no great funded debt—no heavy taxation; and if its condition were minutely examined, it would be found to have been as poor, if not poorer, than the rival states with which it had to compete in commerce. The Navigation laws were enacted to promote the navy of this country; and they had fully succeeded in their object. How it could be thought that, with a heavy debt, we could bear the repeal of those laws, and enter into free and open competition with other states, he could not understand; and that was one of the objects he had in moving for this Committee of Inquiry.

There could be no doubt as to the distress that existed among the shipping interest; however different might be the opinions, as to the causes, extent, and remedies of that distress. On the admission of the Board of Trade itself, the existence of the distress was an unquestionable fact. Let the House now look to the character and importance of the shipping interest. The capital embarked in navigation amounted nearly to seven millions in shipping alone; that was to say, in tonnage. This estimate was founded on a calculation of 81, per ton. There was, besides, a vast amount of property closely connected with the value of the shipping. He might safely state the whole at not less than thirty millions. If he were allowed a committee, he would prove, beyond all doubt, that this property had undergone a depreciation of twenty-five per cent. There was a loss to the country of upwards of seven millions. When the alterations in the Navigation laws were proposed, the gentlemen who then constituted the Opposition, and who were once styled "His Majesty's Opposition," as they might now, with great propriety, be called "The King's Own" [a laugh]—those gentlemen encouraged, as far as possible, those theories to which he ascribed the injuries done to the shipping trade. The approbation of those theories was not confined to them alone; it was shared by the cabinet, by this House, and by the community at large. Those who were affected by the changes petitioned parliament; but their complaints were not listened to, and they were stigmatised as obstinate and prejudiced in defence of imaginary interests. Their prayers were almost rejected by acclamation. They complained also to that Board from which these measures had originated, and to which, after appealing in vain to that House, they ought to have looked for redress. He believed that six months had never elapsed without his right hon. colleague being assailed, either by the ship-owners of the out-ports, or those of London, to remove and remedy their evils. Every session a considerable number of petitions had been presented; but they were left unheeded. He was sure, that if he were to read one of these able memorials of the ship-owners of London, he should do more to further their interests than by any thing he could himself say. But he would not trouble the House with them, as they were too long for reading in that place; and he trusted the House would not separate without granting the committee; and, in that case, they would have all these documents before them.

His chief objection was to the Reciprocity act; but he was of opinion that that might be amended so as greatly to mitigate the evils it had produced. The Reciprocity act was falsely so called. It was impossible there could be any reciprocity, on those terms, in our shipping trade with foreigners. It was impossible we could gain any advantages equal to those we had abandoned. [The gallant general then read some passages from a speech of the President of the Board of Trade last session.] Now, he maintained that the measures of the right hon. gentleman were unjustifiable on his own showing.
In the case of Prussia, the new duties were levied, not on the goods, but, in a more hostile manner, on the shipping. The consequence of the yielding of the right hon. gentleman in that instance was, that he was assailed with representations from other quarters. He maintained, that, from the beginning to the end of these negotiations, the British ship-owners had never ceased to warn his majesty's government what ill effects would follow. Their condition now was more ruinous than that of the Prussian ship-owners before the concessions made to them. How far superior to this would have been the policy of holding out against them! The necessity of finding a rent for their goods in this country would soon have compelled them to have ceded these points; and meanwhile, we could have been supplied from other quarters of the world. The right hon. gentleman had contended, that he was justified by the inquiry that had taken place before the Committee of Foreign Trade; who, he alleged, had recommended these measures. [The gallant general then read several passages from the Report of this Committee, which, he asserted, contradicted the principles on which the right hon. gentleman had proceeded, and were essentially at variance with his whole system.] He would not read the Report through, on account of its length, but he hesitated not to say, that there was not a line, nor a syllable, in it, that would justify the Reciprocity act, much less the permanence that had since been given to it. He admitted that the lapse of time, and the change in the commercial relations of the country, might have rendered some alteration necessary; but he thought it could be clearly proved in a committee, that there was no necessity for the sweeping alterations carried into effect by the right hon. gentleman's suggestions; and carried into effect, too, without any request on the part of those countries which were now so largely benefited. Prussia had not required this country to make any alteration in her navigation system; but yet she had been benefited to an immense extent by the alteration. Denmark, Sweden, and Norway were all following in the same course; and, he had no doubt, would avail themselves of the advantages of their situation at the expense of the trade of this country.

He would ask the right hon. gentleman if there was nothing in the state of the country, with regard to any other nation, which ought to have induced him to pause? Was there nothing resulting from the Treaty concluded with America which ought to have led him to weigh the consequences of such concession? Let the House look at the effect of that treaty upon British shipping. In the year 1815 there had been an improvement in the number of ships and tonnage belonging to Great Britain engaged in the American Trade. In the year 1816, when the treaty was concluded, the Americans had ninety-one thousand, nine hundred and fourteen tons of shipping engaged in the trade with England, while Great Britain had forty-five thousand, one hundred and forty tons employed in the trade with America. Now let the House look how the treaty had worked during the short period of ten years. In that time the tonnage of American ships, engaged in trade with this country, had increased to one hundred and eighty-one thousand, and thirty-thousand tons, while the tonnage of the ships of Great Britain had dwindled down to thirty-seven thousand, eight hundred and fifty-nine. The Americans had, therefore, been put in possession of four-fifths of the carrying trade of this country; and he would ask, on what principle had such a boon been conceded to them? It was admitted on all hands, and he believed the right hon. gentleman could not deny it, that the cost of building and fitting up, and navigating an American ship, was nearly the same as that of an English. He believed, indeed, that the difference, as he could prove in the committee, was a mere trifle. On what principle, then, he asked, was such a boon in the carrying trade conceded to America? But if there was little reason for such a course with regard to America, how much less was there to conclude similar treaties with those northern powers, where a vessel could be built at an expense of $8. a ton, while no English vessel of the same size could be built at an expense of less than $28. a ton? That, to be sure, was the London price, and included the cost of the India vessels [Mr. Huskisson here made an observation across the table]. Well, then, continued the gallant general, taking the coasting price, it may be very well allowed, that the difference between British and Prussian vessels in the cost of building, is as 182. to 81. That was not a statement upon com-
Another consequence of the alteration of the system of this country was, that foreigners had very much improved their vessels since they had engrossed so much of the trade of this country; they even entered into a bond to perform their voyages in a certain time, wind and weather permitting. Possessing thus every advantage in their own country trade, they injured the shipping of this country in another way; they were, from the cheapness of their outfitting and cost, enabled to go up the Mediterranean, as the treaty permitted them, with only half a freight, while our British ships could not venture on the same voyage unless fully laden. The Prussian, or foreigner, however, could even do that at a profit; while, if a British ship was to attempt such a speculation, it must be at a dead loss. These were a few of the circumstances which accounted for the fact, that the ports of this country were filled with the ships of foreigners, while those of the merchants of Great Britain were rotting in their harbours. In the port of Liverpool, with which he was more immediately connected, there were at least ten foreign ships for one British. He would take that port, for the purpose of illustrating the consequences which had resulted from the Reciprocity system, and beg of the House to look for an instance to the returns at one period and at another. He did not mean to include in his comparison the ships which entered from America; because, as three parts of all the trade with America were carried on through the port of Liverpool, he thought the adding the returns of the American trade might not in that port allow of a fair comparison. He would therefore take the northern powers only, and first Prussia. In the year 1822, the first year of the Reciprocity system, there entered that port seventy-seven Prussian ships from Prussia, having a tonnage of seventy-seven thousand, three hundred and forty tons; of British ships from Prussia, in that year, not one. From Sweden there came, in the same year, twenty-four ships; of British, from Sweden, none. From Norway, there entered four ships; British from Norway, one. He would pass over the year 1823, which presented nearly the same result, and look at the year 1824, when there entered the port of Liverpool, from Prussia, ninety-nine ships; British, none. From Sweden, thirty-eight ships; British, none. And from Norway, five; British, one.
While the carrying trade of this country was thus sacrificed for the sake of exports, those exports were diminishing every hour. The whole of them he believed did not amount to one million. So that, for the paltry amount of a million of exports, the right hon. gentleman had thought it wise policy to give away the carrying trade of England. In taking away the prohibitory duties, for the purpose of more effectually securing the object of this country, it was necessary to relieve foreigners from the Light and Harbour duties. In consequence of that repeal, however, there was a deficiency in the amount of those duties to be made good to the Trinity House; and the country had therefore to pay 70,000L., besides the ruin of its shipping, in order to secure that paltry million of exports.

The gallant general then observed, that he would trouble the House with but one other statement on the subject of the Baltic Trade, in order to shew the workings of this Reciprocity system. In 1822, there entered the ports of Great Britain two hundred and twenty-one British ships from the Baltic, and one hundred and forty-two foreign. In 1823, the year after the repeal of the laws, there were one hundred and ninety-three British, and two hundred and thirteen foreign. In 1824, there came from the Baltic one hundred and eighty-nine British, and three hundred and sixty-eight foreign; and in 1825, three hundred and thirty-three British, and four hundred and ninety-four foreign: the tonnage of the British being two hundred and nine thousand, and that of the foreign three hundred and fifty-two thousand tons. But, was further evidence wanted, he would ask, to prove that the northern powers could build cheaper than we could, than the fact of their having so far succeeded in driving British vessels from the seas? The state of the Baltic trade sufficiently showed what he asserted to be correct. By the returns before them, they would find, that the Prussian shipping had trebled in that trade, whilst ours had, for years past, been sensibly diminishing. By the last accounts he had been able to obtain, it would appear, that in 1826, there was a diminution of British shipping to the amount of one thousand three hundred and fifty-six vessels. He dared to say, that the right hon. gentleman would tell them, that a similar falling-off had taken place in the shipping of other nations. He would not attempt to deny that the vessels of other countries had diminished last year; but nothing nearly in the same proportion as had the British. The Swedes had fallen off thirty-nine vessels, and the Prussians three hundred and ninety-one. This statement could not be denied; for it was drawn from documents laid before the House by the right hon. gentleman himself; and although he could not state what he had to say with the clearness and precision he desired, he trusted the House would not on that account, overlook the real importance of the subject which he, in so incompetent a manner, had attempted to bring before them.

But, he begged to say one word more relative to the comparative cheapness with which the vessels of foreign countries could be built and navigated. It being established, that foreigners could sail their ships forty per cent cheaper than we could, it must of necessity follow, that we could enter into no manner of competition with them, if the vessels of both were placed upon an equal footing. The decline of our commercial marine of late showed that to be the case; and he had no doubt, that, if the present system was persevered in, the destruction of British shipping must ensue. What advantage did we gain by such sacrifice? If we were to be considered as a nation of shopkeepers merely, we should certainly have it said, that we had the advantage of having our goods carried to market at a cheaper rate than our own ships could do it. But he was ready to contend, that that was not the only light in which the question was to be regarded; so constructed a view was unworthy of a British minister. The right hon. gentleman, he had no doubt, would refer to the returns before them, to shew that the quantity of registered tonnage was increased rather than diminished; but that, he would tell him, was of no avail. The right hon. gentleman must shew that the shipping was not only employed, but that it was employed at a profit. If he could not shew that, all his arguments drawn from the increase of the register tonnage would go for nothing. Now, he was prepared to prove, that, so far from ships being employed at a profit to the owners, it was at a dead loss. There was a book, which was not before the House, but which he had had an opportunity of examining in a committee, showing that all the principal ships of the port of London were deeply mortgaged; and that they had not, in consequence, yielded their owners
any thing like a return upon their capital. The ruin which was thus in progress would be better imagined, when they remembered the perishable nature of that species of property; that vessels, upon an average, did not last for more than from ten to fifteen years. It was ridiculous to talk of employment, if it did not yield profit.

Our colonial possessions, if properly managed, would always maintain a certain portion of shipping; but it was to be feared, that the measures pursued, with regard to our islands in the West Indies, would have as ruinous an effect upon the shipping that was employed in conveying colonial produce from this country to the continent, as it had upon that carrying on the direct trade with the northern powers to which he had already alluded. He might be referred by the right hon. gentleman to the documents, to see the number of ships sailed out from this country, belonging to Great Britain, compared with those belonging to other countries. He looked, then, to the "comparative statement of British and foreign tonnage cleared outwards from the ports of Great Britain, distinguishing the several countries, for the year ending 5th January, 1827;" and what did he find there? He found the number of tons cleared outwards for the British northern colonies to be three hundred and thirty one thousand two hundred and fifty, and that all of British shipping. There was another item, which gave two hundred and thirty-six thousand one hundred and nine as the number of tons cleared outward for our West-India islands. This he complained of as being any thing but a fair statement. The coasting trade might as well have been included in "the comparative statement," as these colonial items; for foreigners had just as much competition with us in one as in the other. If the five hundred and sixty-seven thousand, three hundred and fifty-nine tons, of which these items consisted, were included, it would reduce our superiority, as it appeared in the return, from nine hundred and seventy-nine thousand, one hundred and sixty-seven tons to four hundred and eleven thousand, eight hundred and twenty-nine; the total of British tonnage, cleared outwards, being stated at one million, six hundred and twenty thousand, three hundred and ninety-three, whilst that of the foreign was put down at six hundred and forty-one thousand, one hundred and six only. This comparative statement was evidently, then, unfair; as every body must see that the shipping trading to the colonies ought to have been excluded.

But, he had no doubt that he should be told, that a superbundance of shipping had been built, and that it was the fault of his clients, if they had been injured by excess of building. But if there had been an excess of building in late years, there would also have been an excess of tonnage: yet the fact was, as appeared by the returns before them, that the years 1816, 17, 18, 19, 20, and 31, were years of greater tonnage than any since that period. We now actually registered one hundred and forty-nine thousand, two hundred and ninety-six tons more than we did ten years ago. The speculations of 1825 could not, therefore, affect the question at all; although he must say, that that speculation had very much encouraged in that House, and, as far as responsibility could go, his majesty's ministers were more liable to be called to account than his clients. His majesty's ministers encouraged these speculations, by the manner in which they talked of them, as being indicative of permanent prosperity. Did they not all remember how the Chancellor of the Exchequer had talked to them of the mighty things that were to be done with his surpluses—so many hundred thousands to these churches, so many to that palace, and so many to this, that it was evident he expected them to keep flowing in upon him in a manner, which would make it difficult for him to find employment for them. He did not recall this circumstance as a reprehension, but merely that it might not be thrown in the teeth of his clients, that the distress they felt arose from their own speculation. The fact was, that there was a demand for shipping, and it was supplied. Those whose cause he advocated were not aware, any more than the ministers, that the demand was only temporary. The whole nation was deceived: every body thought the commencement of a state of unexampled prosperity was at hand. It had, however, turned out otherwise, and he could assure the House, that he knew of several instances occurring of late, in which ships built in 1825, for 15,000l. were lately sold at Liverpool for 6,000l. There were many instances of this occurring; and he was confident that, upon an average, every ship that had been sold since 1825 was at a loss of from twenty-five to thirty-five per cent.


Was there the least hope that this state of things would be mended? The Corn-trade, which the new bill, if it passed, had been alluded to as likely to have an effect upon the shipping, would not, as it appeared to him, make a difference of five thousand tons in British shipping; as every grain, in all probability, would be brought in the vessels of the country from whence the corn was brought. The British ship-owners could never expect to be employed, except when freight rose to an extraordinary height by the foreigners not being able to supply the demand. He should, in all probability, be told, that this question had been brought prematurely forward; that the ship-owners ought to have waited a sufficient time, to give the experiment a fair trial; and that then the result would appear to be favourable to them. But he would put it to hon. gentlemen, whether it was possible for persons situated as his clients were, to wait longer than they had done? They daily saw their property wasting away, and were in expectation of seeing the whole vanish from their grasp. Could they act otherwise than they had done? He hesitated not to say, that between the presenting of the petition and the present time, there had been a diminution in the value of their property, of from five to ten per cent. Were they to wait another year, he was confident it would involve their total ruin. He regretted that he could not so clearly express himself, as to convey his feelings to the House in the manner he desired; but, he trusted they would rather look to the real importance of the question, than to the manner in which he stated it. There was not the least necessity to give to Prussia this ten years' trade. Before it was done, why was not the effect of similar concessions to America looked at? But he should deny that they ever did grant them to America. There was a kind of traffic allowed to America between our colonies and her; but that was now put an end to, and he hoped the privilege would not again be granted.

If a naval armament became necessary, the right hon. gentleman would not only find a diminution of the trade, but of the sailors. The number of men employed in 1816, was now diminished by eleven thousand. This appeared from the right hon. gentleman's own statements, and must of course be depended upon. But the diminution that was still going on was even more alarming than that which the documents had shewed. To judge this part of the subject correctly, they must not look at the number of registered vessels, as it by no means followed that they all employed men. Another very alarming fact was, the manner in which the building trade was rapidly deserting us. Nearly one third of our shipping was now built in Canada. A very short statement would show the progressive decrease of building in this country. In 1825 there were five hundred and thirty-six vessels built in Canada, and nine hundred in England. In 1826 there was four hundred all but seven built in Canada, whilst in England there was only four hundred and forty-five. That was the amount of the violent speculation which had been entered into. He had endeavoured to ascertain what number of ships were actually building in England; and, from the best information he could procure from those interested, and likely to know, it appeared that there were only one hundred and seventeen ships building in all the docks of this country, and that, out of these, twenty alone were from order, the rest being built for speculation. It might be asked, why were they built if employment could not be procured? He must remind the House, that many ship-builders had great numbers of apprentices and others, whom they were obliged to keep at work, and that they were obliged also to use up their timber; and, when they came to consider, that eight hundred out of the twenty-four thousand ships, which composed their commercial navy, were rendered every year unfit for service, they would see how rapid must be the decrease, when that number was to be replaced by only one hundred and seventeen. There ought to have been as great an increase of the shipping as there had been of the wealth and population of the country. He spoke not of the prosperity of one particular year, but generally: he repeated, the tonnage ought to have increased in a corresponding degree with the wealth and population of the country. It had not done so. The diminution of the employment of shipping was proved by another fact. He learned, from Hull, and other places, that the sailors, in great numbers, were obliged to have recourse to parish relief, although able and willing to work, if it were possible for them to find employment. If he might judge, from the manner in which our shipping were
Shipping Interest of the Country.

May 7, 1827.

leaving our shores, for America, they would soon see our docks empty of ships, of British ships at least. Some seemed to think, that it mattered not, whether they were filled with foreign or English vessels—but he was not one of those—their arsenals deserted, and their whole marine extinguished. Even, within three months, they would see the decrease becoming more apparent. Besides the arguments he had urged against the alterations, he thought, that, having been made, foreigners ought, at least, to have borne part of the expense attending them. Had a colonial duty been laid on the produce they carried away, it would have been sufficient; but, as it was, our islands in the West Indies were of very little advantage to us as colonies. The result of this experiment had already been sufficiently injurious to British trade; but he did not hesitate to say, that it would be ultimately the ruin of it. It would have been but fair, had a committee of inquiry been granted, previous to these concessions, when their policy might have been discussed. Certainly there could be no reason to refuse an inquiry now, when such great interests were at stake. The trade report, to which he had alluded in the early part of his address, had recommended caution and deliberation; but, whether a due degree of either had been practised, it was for the House to judge. The merchants of Liverpool had expressed their approbation of the right hon. gentleman’s proceedings in a very handsome manner; but it must be remembered, that they were not ship-owners, and did not, therefore, suffer so much as that class by the alterations that had been made. It was the merchants of Liverpool, part ship-owners, perhaps; but, gaining in the former capacity what they lost in the latter, the changes did not affect them. It was impossible for him, in the course of one evening’s debate, to urge all the arguments that might be adduced in support of his cause; but, were the committee he prayed for granted, he would there explain every detail in full. The inquiry could not then be refused, without laying the right hon. gentleman open to the charge of being afraid of the result. He should not so much have objected to an experiment of two or three years, but to make treaties to last for ten years—to abolish the Navigation-laws, and all without a trial, was as unfair to his clients as could be imagined.

But, they were to look at the question in another light. Were they treading upon safe ground? Were they not undermining the safety of the country, by exposing their naval power which ensured that safety, to extinction? If there was any class more entitled to consideration than another, it was the ship-owners. Their interests were not to be put aside by the mistified figures of the right hon. gentleman. Last year the right hon. gentleman terminated a speech, in which he defended his measures, by moving for numbers of papers; but, from what he had been able to learn, but few of them had been returned. The exports of 1826 were not there; at least they only came up to October instead of January. They might be told, that these measures would tend to the ultimate good of the shipowners; but there was not a practical man, who had the least connection with shipping, who would not contradict that statement. Was it to be supposed, that the complaints of all the petitions that had been presented on this subject, were without foundation? Had not the right hon. gentleman been told by his constituents when he was last among them, they were all going to ruin? His being returned their member might be supposed to indicate that they held the same opinions as himself; but the fact was, that they respected his talents, but believed him to have taken up some erroneous opinions, which they hoped he would abandon, when he saw their ill effects. But they would never be satisfied until the inquiry they prayed for was granted. If the investigation were not granted, they would think that the right hon. gentleman was afraid of the result. The gallant general concluded by urging, that this was no party question, and that it ought to be considered by itself, without any reference to the side of the House from whence it came. He then moved, “That a Select Committee be appointed, to inquire into the present distressed state of the British Commercial Shipping Interest.”

Mr. Liddell, in seconding the motion of his gallant friend, hoped that the petition of one of the greatest commercial towns in the world would not be opposed by his majesty’s government. He had been long aware of the distress and sufferings of the shipping interest; and, feeling the deepest commiseration for their situation, he was determined to lend his feeble aid in endeavouring to procure for the petitioners
that inquiry which they sought. Before he entered more fully into the subject, he had one or two observations to offer, which the present occasion and the peculiar circumstances which had lately taken place seemed to call for. Feeling every disposition to support the present administration—and he should do so on principle—he owned he felt considerable pain in seconding the present motion, because that motion involved the first great question which was brought forward in that House under the new administration, at the head of which was that enlightened statesman, who for years had succeeded in securing his confidence and that of the public. In his defence, if defence it could be called, where there was no accusation, or rather, he should say, in the explanation of his conduct with which that right hon. gentleman had favoured the House, there was something so satisfactory, so candid, so dignified and so patriotic, that it must have brought conviction, even to those who were unwilling to be convinced. Under these circumstances, he should support, from choice and conviction, the present administration. At the same time, his duty told him, that the question which was now before the House was one which he was also bound to support. He denied that it was a party question. It was one which was open to every individual to discuss, and on which to express an honest and open opinion. Having seen a number of individuals, who before the passing of those acts were in prosperous circumstances, but were now men with broken trade and fallen fortunes, he trusted he should be excused, if he supported a motion which had for its object the consideration of some means by which they might be relieved.

There were two points in this question to which he had to direct the attention of the House. The first was, to establish the claim of the shipping interest to the consideration of the House; and the next, to meet the great talent which he knew the right hon. the President of the Board of Trade would bring to bear on the subject. He did trust, however, that that right hon. gentleman himself would see the fairness of the course he was now taking; as the right hon. gentleman had, in the course of his celebrated exposure on this subject, about twelve months ago, observed, that if any hon. member should have cause to differ from the course then pursued, it would be open to him to point out his objection by a specific motion. It was not denied, that the great body of ship-owners had viewed the measures then adopted with a jealous eye; anticipating that they would, in the result, prove greatly injurious to their interests. It was true, that the body generally did not at that time petition against those measures, but they were not allowed to go altogether without remonstrance. This would be seen by a few extracts from the petition of the ship-owners of North Shields, which he would read to the House [Here the hon. member read the extract; which pointed out the advantages which must result to foreigners, and the injury to British ship-owners, from the then proposed alterations].

The apprehensions then entertained were, he would contend, since fully borne out by the result. He would not say that the consequences which had taken place could be proved to demonstration to be the result of the causes, which were then supposed; but he thought it was going far in the proof to be able to show, that since then the amount of foreign shipping had increased, while British shipping had declined in the same proportion.

With this view, he would beg to call the attention of the House to the comparative state of the commercial marine 1816, and at the present time: and he wished to be understood, that he spoke of the amount of tonnage. In the year 1816, the amount of tonnage belonging to all the ports of the United Kingdom was 2,783,946. In 1826, it was 2,635,653, being a decrease since the time of the war, of 148,298 tons, while there was, in the same time, a decrease of from 11,000 to 12,000 seamen. Now, considering the situation which we occupied during the great part of the war, as the carriers of the greatest portion of the trade of Europe, which we did not hold at present, it might be to some a matter of surprise, that our commercial marine should still stand so high as it did: but then it should be recollected, that there had been, since the war, an immense increase in our imports and exports; and by these the extent of our foreign trade could be justly estimated. In 1816, sixty millions of pounds of cotton had been imported into this country; but in 1826, the amount had increased to a hundred and fifty millions of pounds. That a corresponding increase had not taken place in our tonnage was owing to the fact of the void having
been filled up by foreigners, who could afford to furnish freight at a lower rate than British ship-owners could. It was from the Baltic that the competition had arisen. He regretted the necessity of troubling the House at such great length, but he felt it to be indispensable. He held in his hand two tables which had been most accurately prepared from parliamentary papers, and in which it appeared, that the amount of foreign tonnage entered inwards in the ports of the United Kingdom from Denmark, Sweden, Norway, and Prussia, was as follows:—In 1821, 91,457 tons; in 1822, 132,251; in 1823, 202,000; in 1824, 332,816; and in 1825, 395,843 tons [Mr. Huskisson asked, what the amount was in 1826?]. He had not received an account of the amount entered inwards for the year 1826; but the amount cleared outwards was 297,861 tons. If the excesses of the foreign tonnage, cleared outwards, over the British, were looked at, it would appear that, in 1891, the excess was 23,911 tons; in 1892, 40,420 tons; in 1893, 86,720 tons; in 1895, 127,318 tons; and in 1826, 153,723 tons. This he considered a very strong case.

He was aware it might be said that, whether the changes which had been made in our commercial system had or had not taken place, the result would have been the same. But, surely, it was a very singular proceeding, at the moment when our trade wanted more protection, to deprive it of the little which it enjoyed. Let the accounts of ships building in the several ports be examined, and the depreciation would be distinctly manifest—a depreciation occasioned by the competition of other countries, who, it was universally admitted, could build and equip ships at a lower rate than we could. The excitement which had occurred in 1825 had its effect on the returns for 1826; a part of which consisted of contracts made in the preceding year. It appeared, that in 1823 the number of ships building in the different yards of the kingdom was 3,700; in 1824, 6,000; in 1825, 6,213; and in 1826, 5,213. At the present time, there was not a single ship building, or contracted for, in ports in which formerly numerous vessels were built. At Chepstow, where formerly many vessels were built, not one was now building. At Hull, no ship had been contracted for; and only one was building, in order to give employment to the men in the yards. All the accounts from the North were of the most desponding description; and he was sure that such honourable gentlemen as were connected with that part of the island would bear him out in the assertion; and he understood that it was the same at Yarmouth, &c.

What was the meaning of all this? However ingeniously the new commercial system might be defended, was it not evident, that it operated injuriously on the trade of the country? The whole trade of the country, and more especially the shipping-interest, was suffering distress, and depression. The table was covered with the complaints of petitioners on the subject. Were they to close their ears and understandings against those complaints; or ought they not rather to deliberate temperately on the best mode of remedying the grievance? The political situation of this country was so different from that of every other, that no real reciprocity in commercial matters could be established; and every bonus which we gave to foreign commerce was a sheer and uncompensated loss to our own.

But what remedy was it practicable to apply to the evil? His gallant friend had already alluded to the report of the parliamentary committee of 1825, which certainly afforded a fair ground for hope, that if the new arrangements proved injurious, they might be modified. Complaints were, at that period, made of the tendency of those arrangements. Among others, a very sensible and energetic remonstrance against them had been sent from North Shields. For himself, he confessed that he was not altogether without hope, that some means might be devised of diminishing, if not entirely removing, the grievance. He was persuaded that to our colonies we must look for the means of giving a new impulse to our shipping interest. If his majesty's government remained firm in their interdiction of American trade, he was persuaded that the trade with the mouth of the St. Lawrence, and with the West Indies, would prove most beneficial. Other advantageous measures might be adopted. Some of the duty on North American timber might be repealed. Some modification might be introduced in the bonding system. The duties on deals might be equalized, as recommended in the report of the committee of the House of Lords, in 1826. A return had been made of the amount of duty paid on American timber within the last ten years;
and from that it was endeavoured to be shown, that we might have obtained a much higher duty, if the same quantity of timber were imported from the Baltic, and that the difference was the amount of protection given to American timber. But it should be recollected, that, if the duty were not thus low, the same quantity would not be imported. It was now imported in such quantities, that some of it was cut up for fire-wood; which in itself was an advantage to the poor of the country.

The hon. member then proceeded to contend, that the colonial trade was that which ought to be particularly encouraged by the country; as, besides the employment it gave to the capital of the British ship-owner, it was one of the best nurseries for our seamen. If he were called upon to support his argument of the benefit to be derived from the cultivation of our trade with the colonies, he would refer to the very able work, published twenty years ago, by an hon. and learned gentleman, whose extraordinary abilities enabled him to master every subject to which he applied himself [The hon. member here read an extract from Mr. Brougham's "Colonial Policy," enforcing the importance of cherishing our trade with the colonies, as the means of enriching and aggrandizing the mother-country]. Such the hon. member said, appeared to him to be the only means of restoring our commercial marine to vigour and employment. He had endeavoured to show the great increase of foreign shipping in some parts of our trade; but there were other parts on which he had not glanced. He understood, however, that the trade to the Mediterranean and to the colonies, and the fisheries, were as much depressed as the branches of trade to which he had alluded. He might be accused of opposing himself to an enlarged and liberal system of commercial policy: such was not his intention. He only begged the House, with great deference, to recollect, in the midst of all this effort to introduce liberal feelings, that there was one central spot, Great Britain, whence blessings emanated to every part of the globe; and that if, by too hasty a progress in liberality, her interests were to suffer, her energies to be impaired, or her maritime power to give way, it was not herself alone but the whole universe that would have to deplore the calamity. On these grounds he felt it his duty to second the motion.

Mr. Poulett Thompson said, that, in rising to oppose the motion of the gallant gentleman, he felt the greatest apprehensions lest it should be supposed that he did so from any fear or any doubt of what the result of the labours of a Committee on the subject of Shipping would be. On the contrary, he felt certain that, as nothing but truth could be elicited by such an inquiry, the cause to which he was attached, the liberal principles of policy, as applied by the right hon. gentleman to the shipping of this country, would only be made more manifest, and be more than before confirmed. On this account he should rejoice at the establishment of a committee; because he felt that the principle of the right hon. gentleman would come out lighter than before, after having passed the ordeal of inquiry. Still he was bound to oppose the motion for two reasons, because he conceived that two evils might result from its being granted: one, that it might be construed into something like a doubt, on the part of his majesty's government, of the expediency of the measure. In the other, that it would necessarily raise delusive hopes in the minds of the ship-owners and their friends. There was yet another reason which induced him to oppose it—that he did not think a committee should be granted on any subject, unless a sufficient case could be made out; and certainly, in his opinion, the gallant officer had failed entirely in doing so. He thought he should be able to shew to the House, that the hon. gentlemen who had supported the motion were equally unfortunate in their facts and their conclusions. He did not accuse them of having wilfully made mis-statements: all they had done was to believe a little too implicitly what had been stated to them by others. And, certainly, there was nothing in their credulity which astonished him so much as the extraordinary—he might almost call it unblushing—effrontery with which they were supplied with those distorted statements, by those who must have known how much they were so. The same hands which had supplied the gallant general had supplied the documents which were upon their table; and he should proceed to shew in what manner these statements had been compiled.

And first, with regard to the case of distress, the only part of the gallant general's statement in which he could at all agree, and in that he only partially coin-
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The shipping interest of the country, as I understand it, was not sufficient to institute a claim for a committee; especially when the cause of that distress was obvious. He agreed in the existence of distress amongst the shipowners; but he would ask the gallant general, in what class of men, in what line in which capital was employed, did distress not exist at present? Did it exist solely amongst the shipowners? Was not the manufacturer of cotton, of wool—the merchant whose capital had been invested in iron, in any other goods whatever, labouring under distress? The hon. gentleman had talked of a depreciation to the amount of five and twenty or thirty per cent in shipping. Let him run his eye over the general price current, and he would find that, in many other departments of our trade, there had been a fall of above five and twenty per cent. He might, perhaps, be told, that the distress in those classes was becoming daily less, whilst that of the shipowners was increasing: this he denied; but if it was so, it was easily to be accounted for. In those businesses, such as ship-building, where capital expended cannot be withdrawn and transferred, except by an almost certain sacrifice, it was natural that the distress would last longer than in others not in that situation. But the cause of the distress in the shipping was the same with that in other lines of business—the over-speculation and over-trading. The papers on the table shewed what were the Returns of ships built in the British empire during the last few years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Tons</th>
</tr>
</thead>
<tbody>
<tr>
<td>1819</td>
<td>111,000</td>
</tr>
<tr>
<td>1820</td>
<td>110,000</td>
</tr>
<tr>
<td>1821</td>
<td>124,000</td>
</tr>
<tr>
<td>1822</td>
<td>178,000</td>
</tr>
</tbody>
</table>

Here was, in 1825, an increase of nearly two hundred per cent on 1823, and in 1826 of one hundred per cent. Was it, then, to be wondered at, that there should be difficulty now in employing all this increase of shipping, when, owing to the over-speculation in other branches of trade, the amount of goods to be transported had likewise fallen off? But we were told by the gallant general, and by his supporters, in their correspondence with the Board of Trade, that the distress was now owing to the competition of foreigners. And how do they attempt to prove this? Not by a reference to the amount of respective shipping employed; not by shewing that a decrease had taken place in the amount of British shipping, because, as he should presently shew, they could not; but by a reference to statements of the cost, time of sailing, comparative duration of foreign ships, in which it was easy to impose upon the credulity of those who were not well versed in the subject. These attempts were so open and so barefaced, that they deserved to be exposed; and he should certainly do so. First, with regard to the cost of building: the parties left out of their calculation altogether the difference of the admeasurement, owing to the registry regulations of this country. The foreign ship was built at so much "per ton burthen," the English vessel at so much "per ton register," and the British vessel so built, carried one third to one half more tonnage burthen than her registry admeasurement. This the shipowners attempted to meet by a declaration, that "the capacity of ships built abroad was equal to that of English." This was a most miserable quibble. Now, taking the proportionate rate of capacity, it appeared from the best returns which could be obtained, that the cost of building was, during the last six or seven months, as follows per ton, British register:—In London, 20l.; in Hull, 17l.; in Newcastle, 16l. to 17l.; if wood sheathed, 12l. to 15l.; in Norway, fit only for timber, 10l.; in the Baltic, 12l. to 13l.; if fit only for timber, 9l. to 10l.; in Holland, France, and Hamburgh, 13l. to 16l.; if coppered, 18l. to 20l. Undoubtedly, there was here a difference in the cost price; but this was more than accounted for by the comparative durability, the time they each commenced the voyage, and the difference of the number of men.

An attempt, and a most unworthy attempt, had been made by the body of shipowners, to shew that in no one of these particulars did the British ship enjoy an advantage. First, to prove that the durability was not greater, they had given what appeared, to any one not conversant with the subject, a fair comparative statement, taken from Lloyd’s books. Now, what was the truth of this? Why, it was the most unfair that could be, and shewed anything but the truth. British ships were registered at Lloyd’s the moment they were off the stocks; and if any accident happened to them, they were instantly affixed. A foreign ship was only registered when she came into this country,
and no account was taken of accidents which might have happened to her, so that very probably half the foreign ships selected by the ship-owners as a proof of their longevity might have ceased to exist altogether. Secondly, with regard to the time. A certificate was given by two brokers on this subject; but it was not the better for that.—He would appeal to any man—any member in the House, who, like himself, was in the habit of employing shipping—whether the foreigners were not, proverbially, dilatory in their voyages? Lastly, with regard to the difference of the number of men. Here a statement in figures was given, in which it would be difficult to have erred unknowingly; but here these gentlemen actually went against their own figures; and, after giving us a certain sum, which shewed that there are five men employed to every hundred tons of British shipping, and six to every hundred tons foreign, actually told us that there were only four to every hundred tons foreign. But these were mere matters of calculation; it remained now to see, whether what the ship-owners said ought to have occurred, had really occurred; and whether we were undersailed by foreign ships, as according to their calculations we ought to be. The House had already heard the immense increase of British ship-building in 1824, 1825, and 1826, since the Reciprocity acts had come into force. Now, what was the statement as laid upon the table of the House, of the British and foreign tonnage entered inwards in those years?

<table>
<thead>
<tr>
<th>Year</th>
<th>British</th>
<th>Foreign</th>
</tr>
</thead>
<tbody>
<tr>
<td>1818</td>
<td>2,467,779 tons</td>
<td>704,511</td>
</tr>
<tr>
<td>1820</td>
<td>2,270,400</td>
<td>408,401</td>
</tr>
<tr>
<td>1822</td>
<td>2,390,238</td>
<td>419,694</td>
</tr>
<tr>
<td>1824</td>
<td>2,364,249</td>
<td>694,880</td>
</tr>
<tr>
<td>1825</td>
<td>2,786,844</td>
<td>892,601</td>
</tr>
<tr>
<td>1826</td>
<td>2,478,047</td>
<td>643,922</td>
</tr>
</tbody>
</table>

From this account, strange to say, it did not appear that foreign shipping had increased in proportion to ours since the alteration in the law, although he certainly expected it would; but this was only an argument against the assertion of our being undersailed.—He would now turn to the state of the Baltic trade. What was the return of the number of ships, British and foreign, that had passed the Sound?

<table>
<thead>
<tr>
<th>Year</th>
<th>British</th>
<th>Foreign</th>
</tr>
</thead>
<tbody>
<tr>
<td>1821</td>
<td>2,819</td>
<td>6,358</td>
</tr>
<tr>
<td>1822</td>
<td>3,097</td>
<td>5,386</td>
</tr>
</tbody>
</table>

Comparing 1826 with 1824 and preceding years, it did not appear that we had lost any thing of our relative proportion. It did not then, in fact, appear that we were undersailed by foreigners. If it were true that it were so, why did they not obtain all the carrying trade of the world? How happened it that British shipping retained so large a share of it? He would appeal to any merchant, whether he did not always find it to his advantage to give the preference in a neutral port to a British ship? A statement had been made in 1823, by the ship-owners, that in that year, out of two hundred and eight vessels arrived at Hamburg between the 1st January and 1st June, only twelve were British—that was before the alteration in the law. What was the case in 1826? By a return he held in his hand, out of eight hundred and two vessels, seven hundred were British? Did this look as if the carrying trade was lost to us?

He had said thus much, to show the fallacy of the statements of the ship-owners. But, for a moment admitting them to be correct, he would ask the gallant general what he proposed doing? Re-enact the Navigation-laws? Was that his remedy? And what must follow? Of course retaliation by those powers which would be attacked by our doing so. And, supposing that such barbarous measures were actually commenced in this war of prohibition, which would, of course, be carried to the extreme length by both parties, who were likely to be the greatest losers—this country, which possessed an immense commercial marine, and had such an enormous capital employed in shipping; or that country, whose marine was yet scarcely formed; whose extent of capital employed in this branch was very trifling?

He had now shewn that the gallant general, and those who supported him, were wrong, as far as their own interest and the interest of the shipping itself were concerned, in their exclamations against the Reciprocity acts. But he now turned to the wider field—the general interests of the people of this country, and of commerce generally. When the ship-owners talked of sacrificing the trade with Prussia, as being of little moment, were they aware what that trade was? Did they know
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What the amount of British goods exported to that country was? Was it a question of a few thousands? In 1823, according to the account laid on the table of the House, the imports into Prussia, of British produce, amounted to 7,465,000l. And was this immense amount to be sacrificed — to what too? To a supposed good, which the very parties interested could not shew to be one. And, did the country pay no tax for the ship-owners already? What was the difference between the amount of duty on Canada and Baltic timber? For whose supposed interest was that? and what was the amount? By the returns laid on the table, it appeared, that the difference between the duty which was levied on Canada timber, and that which would have been levied on Baltic, was, in 1824, 1,226,000l.; in 1825, 1,409,079l.; in 1826, 1,278,691l. This was a tax on the country for the benefit of that class. He was far, however, from opposing the reasonable demands of that class, when those demands could be complied with, compatibly with the general interests of the mass of the nation. The duties on hemp, on linens, on iron, on copper, might be further reduced. That was a just claim, and such a one he would support.

This was not the time for entering into the question of the Navigation-laws; but if he were inclined to do so, and to state his opinion of their having been, from the beginning, prejudicial instead of advantageous to British commerce, and even to British shipping, he might do so, and fortiy his opinion, by quoting that of the most illustrious persons, all of them contemporaries of the introduction of the system—sir Roger Coote, sir Josiah Child, and after them, sir Matthew Dukes, who expressly recorded their opinion of those laws as unfavourable to this country. He had, he now thought, sufficiently answered the gallant general and the hon. member for Northumberland. He must apologise to the House for having trespassed upon their attention at such length. Nothing but the importance of the subject could have induced him to do so; but he considered the present attack as not merely one upon the principle of the alteration of the Navigation-laws, but as one on the principle of free trade generally; and he conceived that on such an occasion, when an attempt was made—if he might borrow from the eloquence of the right hon. gentleman opposite—to "arrest the march of human improvement and beat back the tide of civilization," it behoved every honourable and independent man in that House, more especially if connected by circumstances with the commerce of the country, to stand forward to oppose it. He should never be found wanting, he hoped, on such an occasion; and, however feeble he was aware was his voice, however little worth his support, the right hon. gentleman should have all he could do. But more than that, he would venture to say, that if the right hon. gentleman only persevered in his course—if he only persisted in his liberal policy, the voice of the country would be with him: his country's applause would be his need; and he would assure the right hon. gentleman that "Nec quidquid habit futura est majus quam ut possis, nec natura tua melius quam ut velis servare quam placuit." The hon. gentleman sat down amidst loud applause from both sides of the House.

Sir Joseph Yorke said, that in endeavouring, as a British admiral, to defend the interests of British commerce, he trusted he should meet with as much patient attention to the two or three brief observations which he had to offer on this question, as he had frequently met from the House, on former occasions when he had risen to address it. The present motion involved matters of the deepest interest to this great island; surrounded as it was by waters which conveyed its commerce to every corner of the habitable globe. Without being at all a party man, he must beg leave to doubt the able and elaborate speech of the young member who had just sat down. That hon. member came from a quarter, which made him suspect the argument he used. He was connected with those northern houses which were enabled to sail ships at a much cheaper rate than the rest of the country could do. When he perceived the brooms at the head [a laugh], not of that House, but of ships—when he saw seamen walking about our ports with their hands in their pockets, and nothing at all to do—when he knew that it was the fashion for brokers to be ranging through our docks recommending an amiable Prussian to one customer, a fine Russian to another, and a sweet Swede to a third, he doubted that the doctrines of the right hon. gentleman below him, though beautiful in theory, were by no means reducible, with safety, to practice. The
case appeared to him to lie in a nut-shell. He should therefore vote in support of the gallant general's motion for a committee, and should feel that in doing so, he was taking the most effectual measures to support the honour and welfare of the country. He trusted that the House, notwithstanding the speech which it might hear that night from the right hon. gentleman, would not be led away by words which were calculated to make "the worse appear the better reason," but would confine itself to practical facts, and discard theoretical arguments. For his own part, he was satisfied of the propriety of appointing a committee to ascertain whether the abridgment of the Navigation-laws—which, if I have been proposed thirty years ago, would have been deemed a qualification for the proposer's admission into Bedlam—had or had not proved injurious to the commercial marine of the country?

Mr. Huskisson rose, and spoke, in substance, as follows:—

I do not regret, Sir, that, by giving way to the gallant admiral, I afforded him an opportunity of cautioning the House not to be misled by arguments calculated to make "the worse appear the better cause." The House will know how to appreciate the value of the gallant admiral's advice, and to apply it to the speech with which he has just favoured us.

Before I proceed to those observations which it will be my duty to make on the motion of my honourable colleague, the House, I trust, will allow me to offer my unsignaled acknowledgments for their kind consideration towards me, in having, more than once, postponed the discussion of this important question before the Easter recess, when I was unavoidably absent from their debates. Those who have witnessed my conduct in former parliaments will give me credit when I say, that I always feel deep regret, if, from any cause, I am prevented attending my public duty in this place. My regret has, in the present instance, been greatly increased, by the consideration, that this House was occupied before the recess, with another very important question—I mean the Corn-laws; in the course of the discussions upon which, frequent reference was made to the opinions which I had professed, and to the part which I had taken on former occasions upon that subject.

Neither of that reference, nor of any animadversions which may have accompanied it, have I a disposition or a right to complain. I admit that, in thus referring to my conduct and opinions, honourable members have done no more than they were called upon to do by their own sense of public duty. They were the less called upon to be scrupulous in this respect, as they were aware that, at some future time, an opportunity would, in all probability, be afforded me, of defending myself, if necessary, against any imputations which might be cast upon me, and of making that defence, in the presence of those by whom my conduct had been arraigned, and before the same tribunal by which the charge had been heard.

Whilst I feel, therefore—as I sincerely do feel—nothing but thankfulness for the consideration with which I have been treated during my absence, by all parties in this House, I must say, that I cannot but take a very different view of an attack, altogether unprovoked, which was made in another place, upon my public character and conduct, at a moment when I was wholly disabled by illness, from taking any notice of that unwarrantable proceeding:—in a place, too, where, neither in sickness nor health, neither now, nor at any time hereafter, can I be permitted to meet, face to face, the individual making that unjust attack, or be afforded an opportunity of repelling it before the assembly to which it was addressed. It may have suited the taste, it may have been congenial to the feelings, of that individual, to represent me, under these circumstances, as a "wild theorist, ready at all times to attempt any experiment, no matter how hazardous." It may have been deemed justifiable by that individual, to charge me with having palm ed measures upon the House and upon the country, under false pretences. It may have been——

Mr. Creases Pelham rose to order. He observed, that the right hon. gentleman was out of order, inasmuch as he was alluding to expressions which had been used in debate, in the other House of Parliament.

Mr. Huskisson.—If an allegation—an unjust and unfounded allegation—be made against me, I must answer it when I can. If my character is attacked and calumniated in another place, in which I cannot
be heard, I must avail myself of the opportunity of defending it in a place where 

I can be heard. It has been asserted of 

me, in a place to which I allude, that I 

have palp'd upon the House and the 

country measures of great public im-

portance, under false pretences, and that I 

have been guilty—neither more nor less—

of a gross political fraud.

It is an old observation, and not the 

least true because it is old, that those who 

are the most ready to indulge in tortuous 

courses themselves are usually the most 

ready to charge that species of conduct 

upon others. An indignant denial is all 

the answer which I can give at present to 

the accusation brought against me. Were 

I to enter into particulars, I fear I should 

depart too widely from the question which 

is at present before us; but this I will say, 

I have now, for more than thirty years, 

had the honour of a seat in this House, 

during the whole of which period, down to 

the present hour, I have always acted 

under a sense of that moral responsibility 

to public opinion and the judgment of my 

country, to which every man, be his rank 

or station what it may, is liable, for the 

part which he takes in the votes and pro-

ceedings of parliament. That moral re-

sponsibility which, in fact, constitutes 

public character, I am not afraid to en-

counter. I am equally ready to meet the 

more direct responsibility which attaches 

to me as a minister of the Crown, not 

only for the measures which I have brought 

forward in this House on the part of his 

majesty's government, but also for every 

other measure in which I have concurred 

since I have had the honour of serving his 

majesty in that capacity. I make this 

declaration without the slightest reserve, 

and I trust without any unbecoming arro-

gance. Further it would be improper to 

speak of myself. But, with regard to the 

individual who has thus attacked me, with- 

out the slightest provocation on my part, 

I must be allowed to remark, that I have 

been an attentive observer of his public 

career for the last five-and-thirty years. 

I have done more. I have read all the 

multifarious works which he has published 

during that period, whether on general 

politics, political economy, or political phi-

losophy—all the theoretical lucubrations 

with which he has enlightened the world, 

down even to his last "Chart of the Corn 

Laws." I have read them all; and, in 
saying this, I am aware that I have exe-

cuted a task, of which very few men be-

sides myself can boast. The conclusion 
to which I have come—a conclusion not 
of yesterday but now of some years stand-
ing—is that, among the many mercies 
which have been vouchsafed to this coun-

try, since the breaking out of the revolu-
tionary war in 1792, there are few for 

which she ought to be more thankful, 
than for those fortunate occurrences 

which, on more than one occasion, have 
disappointed the aspiring ambition of that 

individual—occurrences which have hi-
therto prevented his being placed in any 

station of power, in which he might have 

been enabled to inflict the application of 

his own extravagant theories—and theories 

more extravagant were certainly never 

conceived by man—either upon the 

people of this country or upon that far more 

numerous, but more helpless, population, 

which is placed under our protection in 

another quarter of the world. Having 

escaped so long, I trust there is now no 

risk, that any part of the British empire 

will ever fall under such a visitation.

To come, Sir, to the question more im-

mediately under discussion, first begging 
pardon of the House for this digression, 

upon matters principally personal to my- 

self. I rejoice most sincerely, that the 
gallant general, my honourable colleague, 

has brought forward his present motion: 

not only because it affords me an opportu-

nity of defending my own conduct, but 
because it has given to the hon. member 

for Northumberland (Mr. Liddell), an oc-

casion for a display of the clear and able 

manner in which he can state his views on 
an extended and intricate subject, and of 
talents for business which cannot fail of 

being duly appreciated by the important 
country which he represents. It has also 

been afforded to the hon. member for Dover 

(Mr. Poulett Thompson), an opportunity 
of manifesting an extraordinary degree of 

acuteness and knowledge, in respect to the 

commerce and navigation of the country, 

and of stating his information in a manner 

which must, I am sure, have made the 

most favourable impression upon the 

House.

Among the many extraordinary state-
ments which fell from my gallant col-
league, there was none which I heard with 

more surprise than his remark, that, for the 

last two or three years, the table of this 

House has been overwhelmed with peti-
tions from the ship-owners of all the ports
of Great Britain, complaining of their distressed condition; and that his majesty's government had never condescended to pay them the slightest attention. Now, what is the real state of the case? In the course of the last session, but not till the last session, some petitions were presented to the House on this subject. And what became of them? The hon. members who presented these petitions, contented themselves with moving, that they should be laid on the table of the House, and be printed. These formalities fulfilled by those immediately intrusted with these petitions, they would have been forgotten, if I had not felt it my duty minutely to investigate the allegation contained in them, "that the shipping, and carrying-trade of the country were in a rapid state of decay." Having satisfied myself that the allegation was unfounded, it became my further duty to endeavour to dispel any unfavourable impression, which it was calculated to make upon the public mind. With that view, I did, uncalled for, bring forward an exposition of what I knew to be the real situation of the commercial marine of the kingdom. I made that statement for the purpose of removing any apprehensions, needlessly but industriously excited, with respect to an interest so nearly connected with the honour and the safety of the empire. In submitting that statement to the House, about a twelve-month ago, I availed myself of the opportunity which it afforded me, of explicitly declaring the principles which I entertain on the subject of our Navigation-laws; of explaining and vindicating the measures which had been adopted by his majesty's government, in reference to those laws; of bringing fully and fairly before the country the present state of our commerce and marine; the great increase in their amount since the year 1792; and of comparing our present means of sustaining and manning our military marine with those which we could command at former periods; as well as with the means possessed, both now and at former periods, by the powers which have been, and may again be, opposed to us in maritime warfare. This statement, which I submitted to the last parliament, is now before the public, and in a shape, I am ready to allow, which entitles any gentleman who may do me the honour to refer to it, to hold me responsible for its contents. It has been made the ground, or pretext, of so many misrepresentations out of doors, that I feel thankful for this opportunity of setting myself right, and, what is of far more consequence than any personal consideration, of setting the government, and the late parliament right, in the judgment of the country, upon this important subject. If the House will favour me with a patient hearing, and my own physical powers will permit, I trust that, before I sit down, I shall be able to expose those misrepresentations; and, if I succeed in that object, I shall feel equally confident of relieving myself from the calumnies which, with no sparing hand, have been heaped upon me personally, in the course of the last year. Let not the hireling authors of those calumnies suppose that I am about to retort upon them, the low and vulgar abuse which they have attempted to cast upon me. The only punishment which they shall receive at my hands is, to show them, that their venom has fallen innocuous upon me; that I am not infected by it; and that, however unjustly attacked, I feel too much respect for this House, and, I might add, too much self-respect—to resort to such base engines in my defence.

But, if I abstain from noticing personal abuse and malignant insinuations, I cannot extend the same degree of forbearance to the arguments, the mis-statements, the sophisms, and, I must add, the falsehoods, which have been brought forward, I will not say by the ship-owners, but by their advocates, in the present controversy. Even with respect to the ship-owners themselves, although great allowance is to be made for the irritation of men suffering under pressure and difficulties, I cannot consent to flatter their feelings, and to purchase their good-will, at the expense of compromising the claims of truth, and the permanent interests of the country. I am now unaware, Sir, of all the disadvantages under which I approach the discussion of this great question. Many honourable gentlemen may think it necessary—and for this I do not blame them—to yield to the solicitations of their constituents. I am not ignorant that, even amongst those gentlemen who have so immediately connected with the shipping interest, an active canvas has been carried on, and that ex parte statements have been industriously laid before them by the delegates from the out-ports, with a view to influence their judgment,
and to secure their votes on the present question:—a question upon which it is the more easy to excite alarm, from its being so intimately connected with the maritime power of the country. When this paramount interest is represented to be in jeopardy, it is natural that hon. members should listen with attention to those who, in pointing out the supposed danger, are ready, at the same time, to suggest the course by which it may be averted.

I know, likewise, what active and incessant efforts have been made to influence the feelings, if not the votes, of all who entertain opinions, in any degree, or upon any particular point—the Corn-laws, for instance—at variance with the general principles of our domestic and commercial policy: to array those feelings under the popular banner of the Shipping Interest, and to enlist the most laudable impulse of national pride and maritime glory, on the side of that general struggle which is now carried on, in certain quarters, against every attempt at improvement.

Notwithstanding all these considerations, and making every allowance for those hon. members who are, in a manner, obliged to vote in favour of the gallant general's motion, in deference to the wishes of their constituents (conduct, for which, be it remembered, I am far from imputing any blame), I still feel it to be my bounden duty, however much these circumstances may tell upon the division, to state fully and fearlessly, the grounds upon which I stand, trusting that the great majority of this House do not come to the discussion of this important question, as members are sometimes said to attend upon a private bill; that their votes are not pledged to some petty and local interest; that they are not flocking here to-night, for the purpose of redeeming any such pledges given out of doors; but for that of pronouncing an impartial judgment, after hearing both sides of the question now under consideration.

Now, I feel myself, at the very outset, I own, rather at a loss how to deal with that question—a difficulty not created by any thing which I have heard for the first time this evening, but arising out of the statements and arguments resorted to by those who have had the management of the question out of doors. These parties—I mean the ship-owners and their advocates—appear to me to employ a mode of reasoning quite peculiar to themselves, and which I know not how to designate, unless I describe it as resembling that philosophy which prevailed during the middle ages. To reason from facts, observation, and experience—to draw conclusions from what is passing before them—is a system not yet adopted by those who claim to be exclusively practical men. In their method of induction, indeed, facts are precisely what they are most disposed to overlook. Thus far, at least, their wisdom is in accordance with the wisdom of their ancestors, the philosophers of those middle ages, who, setting their faces against all improvements denied all facts which they could not reconcile to their own preconceived doctrines. Of this philosophy we had something like a sample last year, in the question of the silk-trade. All that was thought necessary, on the part of the advocates of prohibition, was to assume, as incontrovertible, that the silk manufacture of this country would, necessarily, be altogether ruined, root and branch, by the then pending change in the law. Here was the theory of practical men. That theory once admitted, the inferences were not difficult to draw. Those inferences were stated as so many undeniable facts—the total annihilation of a capital amounting to many millions sterling—five hundred thousand industrious people, women and children, deprived of all means of subsistence—and I know not how many other horrible consequences; all so much taken for granted, that I was pointed out as a "cold-hearted, callous metaphysician," who, worse than the Devil, could contemplate unmoved the certainty of so much wretchedness and distress.

In spite of this frightful denunciation, the House resolved to abide the result of the alteration, which was then about to take effect, in respect to the silk-trade of this country. The new law came into operation last July, at a period of peculiar pressure and difficulty, in every branch of our manufactures. Yet, nevertheless, I have now the satisfaction of stating, that there is no one extensive manufacture which has suffered so little from the distress of the times, as that of which the total ruin and annihilation had been so confidently foretold. Nay, more; I am enabled to add, that the result of a free competition has been this—that more real improvement has been made in the silk-

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manufacture of this country, within the last twelvemonth, than had been made for half a century before. I assert this, on the authority of the manufacturers themselves; and I say, that at this moment, those manufacturers are not only fearless of the rivalry of France in foreign markets, but, in some articles, are able to undersell the French manufacturer even in his own market: and, so little do they dread the competition of Bandana handkerchiefs, against which no rate of duty, however high, we were assured, could afford protection, that silk handkerchiefs are now actually weaving in England, for the purpose of being sent out to the Indian market.

But, Sir, the ship-owners go even a stage further than the silk manufacturers. They are not content to assume what will be the inevitable result of the measures adopted by government for the regulation of our Navigation system; they positively assert that those results have already taken place. They maintain, that the shipping interest of this country is at the present moment, in a state of rapid decay. This is the burden of all the petitions which have been presented on this subject. I have been at the pains of reading them all; and there is not one which does not proceed upon the assumed fact, that foreign shipping resorting to our ports has increased in an alarming degree, and that the shipping of this country has decreased in the same proportion. From this assumption it is inferred—and, if the premises be correct, there is no disputing the conclusion—that the shipping of other states will, ere long, supersede our own shipping in the foreign trade of the country.

Now, upon this point rests the whole question between the ship-owners and his majesty's government. We are at issue upon a fact; and that issue is what the House is called upon this evening to try. If the fact shall be established, it will then be our duty to examine how far the inferences are correct; and, if they are correct, to lose no time in considering of the best means of averting from the country the evils involved in these inferences. But, if the pretended fact should be altogether unfounded—if the true state of things should turn out to be the reverse of what is alleged by the petitioners—surely we may dismiss the inference, and save ourselves the trouble of any further proceeding.

ing. Upon the shewing of the petitioners themselves, there would be no ground for the committee proposed by the gallant general; and to grant it under such circumstances, would only tend to raise a doubt, both at home and abroad, upon the disposition to persevere in our present system of commercial policy—a system which, his majesty's government are persuaded is calculated to advance the general interests of the country, without creating any prejudice to the separate interests of the ship-owners.

The gallant general has stated, that it is not his fault that this question was not brought forward at a much earlier period of the session. If there be blame anywhere, I am afraid I am the principal cause of this delay. But I own that, for the fair discussion of the question, I cannot regret that it was deferred. If we had gone into this subject previous to the recess, we could not have had before us the annual accounts of tonnage and shipping, which are never laid upon the table till the 25th of March. Without those accounts, we should not have possessed any authentic means of examining the assertions, upon the validity of which we are now to decide.

I will not affirm of the petitioners, who have complained of this delay, anything so offensive as that they were aware, that when these accounts should be produced, they would overturn all their statements: but I will say, that those statements have been made at random; although I am ready to concede, that they were according to the best of the belief of the persons who have signed these petitions. They have taken the allegations upon credit, from those who have had the task of what is called "getting up the petition."—a practice, I am afraid, become very common of late years, and by which the value of one of the most important rights of the subject, and the influence of petitions in this House, have been rather impaired than strengthened.

The truth of this observation, I own, has been somewhat confirmed to me by the attention which I have found it my duty to give to the allegations in the petitions now under consideration—allegations which have surprised me not a little. The confidence, not to say the credulity, of the petitioners must, indeed, have been largely drawn upon; seeing that, of their own personal knowledge, it was scarcely
possible for them not to have been aware how inconsistent some of the statements were with occurrences which came under their own immediate observation. In the petition from Scarborough, for instance, which I take because it is the first which was presented this session, I find it stated, to the great regret and alarm of the petitioners, that there has been a great increase in the entry of foreign vessels, and particularly of vessels from the Baltic, in all the British ports during the last year. This, Sir, is the grievance complained of by the inhabitants of Scarborough, on the 16th of February, 1827. As far as their own port is concerned, they must naturally be acquainted with the real state of the case. As far as other ports are concerned, they were probably speaking only from hearsay. Now, by referring to the returns to which I have alluded, I find that, in the year 1825, there entered into the port of Scarborough nineteen British vessels, amounting to 2,451 tons, and seventeen foreign vessels, amounting to 998 tons. I find also that, in the next year, 1826, the year adverted to by the inhabitants of Scarborough, the year in which the foreign shipping has made much alarming progress towards superseding the shipping of this country, there entered seventeen British vessels, amounting to 2,349 tons, and only two foreign, amounting to 149 tons. So much for the petition from Scarborough! And so much for the practical information which these petitioners have brought to bear upon the question!

The next petition I shall refer to is from Greenock, a much larger port than Scarborough. The petition contains the same general allegations, and complains more particularly of the loss of the timber-trade with the British provinces in North America. It states, that, in consequence of the protection afforded to foreign shipping, so decided a preference is given to foreigners in the timber-trade, that the petitioners can no longer compete with them, and that the British trade to Canada will soon be wholly destroyed. How far this allegation is correct, as relates to this particular branch of trade, I shall have occasion to notice hereafter: but, as the petitioners also proceed upon the assumption, that the increase of foreign shipping has been alarmingly great in the last year, I will show the House, from the returns, to what degree of credit this assumption is entitled. In the year 1825, there entered into the port of Greenock two hundred and one British vessels, amounting to 51,249 tons; and twenty-one foreign vessels, amounting to 6,229 tons. In the year 1826, the number of British vessels was one hundred and ninety-seven, and their tonnage 54,037 tons; while the number of foreign vessels was only eight, and their tonnage 2,380 tons; being an absolute increase in the British tonnage, accompanied by a very great decrease in the tonnage of foreign vessels, in the very port from which the petition proceeded!

Were I to go on to other ports from which petitions have been presented, I should, in most instances, have to adduce similar comparisons from similar returns. But this course is unnecessary, and would occupy too much of the time and attention of the House.

There is, however, one more petition to which I will briefly refer, because it attempts, by exciting the prejudices of the poorer classes of the community, to bring their feelings to bear upon the present question. This petition comes from the artificers and labourers connected with the port of London, and employed, in various departments, about the shipping. They state that, in the year 1826, they were in a prosperous condition, and had plenty of employment; but that, in the year 1826, owing to the great influx of foreign shipping, they are, at this moment, destitute of employment, and in a state of the deepest distress. Now how stands the fact? I find, by the returns to which I have just referred, that in the year 1825, the foreign vessels entering inwards in the port of London, amounted to 302,122 tons; and that in the last year, the year 1826, they amounted only to 215,254 tons. If, then, the distress of these petitioners be occasioned by the amount of foreign shipping, the aggregate of that distress ought, as a matter of course, to have been less, by nearly one third, during the last year, than during the year 1825. Is it not evident, therefore, that the effects complained of must have arisen out of some other cause? Yet, Sir, these petitioners are actually "overwhelmed with dismay"—I use their own words—at the increase of foreign shipping in 1826; and to that circumstance they attribute all their present difficulties!

I am afraid I am detaining the House too long; but, as it is with assertions of
Here, then, is my first proof in refutation of the allegations of the petitions. Let hon. gentlemen cast their eyes down the column of this return, from 1814 to 1826, and they will see, that there is no year, 1825 always excepted, which stands so high, since the restoration of peace. The amount of tonnage of British vessels entered inwards, in the year 1826, was 2,478,047 tons. In the year 1814, it was 1,846,670 tons; shewing an increase of more than 600,000 tons.

But, inasmuch as our intercourse with Ireland is now separated from the foreign trade, and considered, as it ought to be considered, a part of the coasting trade, a return has been prepared, from 1814 to 1826, both inclusive, in which the trade of this country with Ireland is omitted for the whole of that period. And here I find the comparison at least as favourable as in the first return. The tonnage of British vessels entering inwards from foreign ports, in 1826, considerably exceeded the tonnage in any one year since 1814, with the exception of 1825; whilst there are not fewer than four years of the thirteen (three of them before any treaty of reciprocity with the northern powers), in which the foreign tonnage exceeded that of 1826.

Last year, in addressing the House on this subject, I admitted that, looking to the excessive over-trading of 1825, a proportionate decrease in the employment of British vessels was naturally to be expected in 1826. As the first of these years, 1826, from excessive excitement, could not, taken by itself, be considered as affording a fair estimate for the future, so in like manner, I stated my apprehension, that the latter year, 1826, from the natural consequence of preceding excitement, would exhibit an unusual depression in our navigation. This apprehension, as the House now perceives, has fortunately not been realized. What, then, becomes of the lamentations over the ruin of our foreign trade?—of the bold assertion, that it has been transferred to the shipping of other countries? The decrease of British shipping in 1826, as compared with the preceding year, was 231,219 tons; the amount of tonnage in 1825 being 2,027,469 tons; and in 1826, 1,796,250 tons. The foreign shipping, in the same period, had fallen off 248,679 tons: the amount of their tonnage, in 1825, being 892,601 tons, and in 1826

pretted facts that I am dealing, it is necessary for me to exhibit facts, in order to show how entirely groundless are the charges which have been brought against me, and against the system which it is my duty to defend. It is the more necessary, as it has been imputed to me, that I was guilty of exaggeration in the statement which I made last year, and that I attempted to support such statement, and to deceive the public, by returns purposely prepared to lead to false conclusions. I have been accused of the "pitiful trick" of jumbling together the foreign, the Irish, and the coasting trade, for the purpose of concealing that there had been a great decrease in the British shipping employed in the foreign trade of the country. I knew the falsehood of this charge, and so, I have no doubt, did those by whom it was made; but, since it had been made publicly, it became my duty, before the House was called upon to discuss the subject in the present session, to call for returns, prepared in such a form as would remove all suspicion that I had attempted so miserable and unworthy a delusion. I called, therefore, for the return which I now hold in my hand, showing the comparative increase of British shipping, in what, in the Custom-house books, as kept up to the year 1823, was considered the foreign trade of the country. Up to that year, the trade with Ireland was included under that head. And why? Because, by a long-mistaken policy—a policy which, happily for both countries, is now abandoned—up to that year, we treated the trade with Ireland as a foreign trade, subject to all the impediments and regulations imposed on the intercourse with foreign countries. Therefore, it becomes necessary, for any purpose of fair comparison with years antecedent to 1823, to include the Irish trade under the head of foreign. I hold in my hand a comparison so made, for each year, from 1814 to 1826, both inclusive, shewing the total tonnage of British and foreign ships, which have entered inwards and cleared outwards from and to all parts of the world. And what is the result?—that, with the single exception of the year 1826 (and although the trade of the year 1826 was necessarily depressed, in consequence of the excessive and wild speculations of the preceding year)—there appears to have been a greater amount of British shipping employed in the last, than in any former year since 1814.
I have only to thank my opponents for having forced me to this mode of comparing the past growth, with the present decay, of our foreign carrying trade, and I now leave it in their hands, that they, in their turn may reconcile it, as they can, with their assertions that since the peace, the increase of foreign, when compared with British tonnage, has been in the proportion of four to one. I may be told, however, and, if I stop here, I have no doubt I shall be told, "All this is very true; but, if from this comparison were excluded the British tonnage which is engaged in carrying on the trade between this country and our own colonies, the result would be found widely different. As foreign competition is not allowed in this trade, the vessels employed in it ought, in fairness, to be excluded from the comparison."

My answer is shortly this.

I am perfectly willing to abide the issue of the present question, tried by a reference to this text, new and unfair as I held it to be, in an inquiry of this nature. That it may be strictly applied, I have called for the following resume:—

| The amount of tonnage of British and Foreign shipping which entered inwards in the ports of the United Kingdom, upon an average of five years, from 1814 to 1818, both inclusive, was | 1,517,918 | 500,156 |
| The average amount for ten years, from 1814 to 1823, both inclusive, was | 1,607,846 | 539,028 |
| The average amount for three years, from 1824 to 1826, both inclusive, was | 1,863,678 | 864,308 |

| The amount of British and Foreign ships entered inwards in the ports of the United Kingdom, for the year 1826, was | 1,859,630 | 694,116 |

| The increase of British shipping, therefore, in 1826, as compared with the first average of five years, in | Tons 439,718 | | Ditto of Foreign | | 105,054 |

| Excess of British increase above Foreign | 389,763 | | | | |
| Increase of British on the average of ten years | 348,600 | | Ditto of Foreign | | 155,054 |
| Decrease of British on ditto | 13,048 | | | | |

| Excess of decrease of Foreign above British | 176,636 | | | | |

| Excess of decrease of Foreign above | | | | | |

| British | 97,800 | | | | |

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| Increase of British on the average of ten years | 348,600 | | Ditto of Foreign | | 155,054 |
| Decrease of British on ditto | 13,048 | | | | |

| Excess of decrease of Foreign above British | 176,636 | | | | |

| Excess of decrease of Foreign above | | | | | |

| British | 97,800 | | | | |
First.—An account showing the total tonnage of British and Foreign ships which have entered inwards and cleared outwards from and to all foreign countries in each year, from 1814 to 1826, both inclusive, excluding the British colonies and possessions in all parts of the world out of Europe.

Secondly.—A return of the number of British and Foreign ships, and of the total amount of the respective tonnage, which entered the ports of the United Kingdom from all parts of the world out of Europe (exclusive of the Mediterranean, and exclusive of the British ships from his Majesty's colonies and plantations in America), between the years 1814 and 1826, both inclusive.

Thirdly.—A return of the total number of loads of timber imported into the United Kingdom in each year, from the year 1784, from the British provinces in North America, and from the Baltic respectively; distinguishing the quantity imported in British from that imported in Foreign ships:—also, a return of the total number of loads of timber imported into Great Britain in each year, from the year 1784, from the British provinces in North America, and from the Baltic respectively; distinguishing the quantity imported in British from that imported in Foreign ships:—also, a return of the total number of loads of timber imported into Ireland in each year, from 1784 to 1826, inclusive, from the British provinces in North America and from the Baltic respectively; distinguishing the quantity imported in British from that imported in Foreign ships:—and also, an account of duties levied upon timber, deals, and other articles of wood, imported from North America in each of the last three years; and of what would have been paid upon the same articles had they been imported from the Baltic.

Fourthly.—A return for the United Kingdom, of the total number of British ships, together with the total amount of their tonnage, which entered inwards and cleared outwards from and to his majesty's colonies and plantations in the West Indies, and on the continent of America south of the 35th degree of latitude, from the year 1814 to the year 1826, both inclusive, distinguishing each year.

Fifthly.—A like return from his majesty's colonies and plantations in America, north of the 35th degree of latitude.

Sixthly.—A like return from the possessions of his majesty, or of the East India Company, to the eastward of the Cape of Good Hope, including New South Wales and Van Dieman's Land.

Seventhly.—A like return from any possessions, settlements, or territories, on the West Coast of Africa, including the Cape of Good Hope.

Eighthly.—A return of the number of vessels, with the amount of their tonnage, which cleared out from the ports of Great Britain, for the Deep-Sea Fishery, to any part of the world, between the years 1814 and 1826, both inclusive, distinguishing each year.

Ninthly.—An account of the tonnage of vessels employed in the coasting trade, which have entered at, or cleared out from, the ports of Great Britain, from the year 1823 to the year 1826, both inclusive.

From this last return, to which I shall presently have occasion to refer, hon. gentlemen will see, whether I can justly be charged with having "jumbled the foreign with the coasting trade, for the unworthy purpose attributed to me. I shall first advert to the other documents, which embrace what, in the strictest sense, may be termed the Foreign trade of the country.

By the return which I now hold in my hand, and which, I am sure, will afford my gallant colleague the greatest satisfaction, I find the total tonnage of British vessels which have entered inwards and cleared outwards from and to all foreign countries, in the year 1826, excluding the British colonies and possessions in all parts of the world out of Europe, exceeded that of any former year since 1814—always, with the exception of the extravagant year 1826. There is not a single year besides, which is not below 1826. This is our evidence, truly, of the total ruin that has befallen our foreign trade! In the year 1814, the amount of British tonnage was six hundred and ninety-six thousand six hundred and ninety-one tons. On the average of the twelve years, including the year 1825, it was eight hundred and sixty five thousand three hundred and seventy-seven tons; and in the last year, it amounted to nine hundred and thirty-four thousand four hundred and ninety-one tons.

In the tonnage of foreign ships entering our ports during the same period, there has also been an increase. But there are no less than three years, antecedent to the Reciprocity system, during which the ton-

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nage of foreign vessels exceeded the tonnage of last year.

But is there in this increase of foreign shipping any just ground for regret or alarm? If, in a time of peace, we are increasing our trade in a much greater proportion than our rivals, are we, forsooth, to allow ourselves to be carried away by a miserable feeling of jealousy, and to resort to prohibitory or hostile measures, merely because some augmentation may have taken place, simultaneously, in the trade of the neighbouring countries of Europe? I have looked into this subject with great attention, and have carefully sifted the welfare and safety of the country were involved in the maintenance of our commercial marine.

Of what description of vessels does the House suppose a great proportion of this increase in the amount of foreign tonnage to consist? One-fourth of them is under fifty tons burthen; and the whole, upon an average, falls short of one hundred tons each. They are chiefly employed in carrying on the daily intercourse from the opposite coast of France, the Netherlands, and other adjacent ports, with this country. This mighty commercial marine may be seen at Dover, Ramsgate, Southampton, Rochester, and the other sea-ports, from Plymouth to Hull, bringing, besides passengers (for all the passage and steam vessels are included in this return), eggs, butter, vegetables, poultry, fish, fruit, and other trifling articles which find a market in our sea-ports, and many of which are sent from thence to the markets of the metropolis. Such is the character of about one-fourth of the tonnage which helps to swell the numerical return of foreign ships, which threaten to overwhelm the commercial marine of this country! Many of them come with one tide, and return with the next. Is this the nursery for foreign seamen, which is to dislodge us from our rank among the maritime powers of the world? Are the men trained up in this school to be for a moment put in comparison with those who navigate our ships to the remotest extremity of the globe? As well might you compare the establishment of a stage coach plying between Paddington and the Bank, with that of the mail between Edinburgh and London. But if this petty traffic is of little value to the marine of the countries from which it is carried on, and if it ought to be quite as little an object of jealousy to this country, let it not be supposed, that it is not a source of considerable comfort and accommodation to a great part of our population. Gentlemen, I am convinced, have no notion to what an extent this daily interchange with our neighbours is carried. I will only specify one article. The House will be astonished to hear that, during the last year, the number of foreign eggs imported into Great Britain was sixty-four millions, five hundred and three thousand, seven hundred and ninety; the duty upon which amounted to 25,416l. 3s. 3d.

There is, Sir, one other article on which I wish to remark, as accounting for the employment of a considerable amount of small foreign shipping. During my unavoidable absence from this House, my right hon. friend, the vice president of the Board of Trade, adverted, in one of the discussions on the Corn-bill, to the quantity of foreign bones imported into this country, for the purpose of manure. The value of this article yearly imported from the coast between the Scheldt and the Eider exceeds 100,000l. It is collected from all the ports and creeks of that line of coast. Will the ship-owners pretend, that they feel any alarm at this trade, in which nearly forty thousand tons of shipping are employed? Would they have a British merchant ship sent to Hamburg to lay along side the wharf, waiting to collect a bushel of bones here, and a bushel there, until she was able to complete a cargo of manure? This manure must be a valuable article to our agriculturists, otherwise they would not lay out their money upon old bones. It constitutes a new branch of trade which can only exist by low freights, and by being managed with the strictest economy. With a system of discriminating and retaliatory duties, this traffic, like many others, would not be transferred to British shipping, but would be annihilated altogether. Why have I referred to it particularly on this occasion? It is to shew, that if new branches of trade are springing up in consequence of the removal of the discriminating duties, such trade, even if carried on principally in foreign bottoms, must nevertheless be incidentally productive of advantage to the
of the country. By an advance of between one and two hundred thousand pounds expended on this manner, is it too much to presume that five hundred thousand additional quarters of corn are produced? This corn must be sent to market; and I have no doubt that a great part of it finds its way, by sea, to London, and other great towns; and thus our coasting trade, the most beneficial, as well as the most extensive, nursery for seamen, is increased.

I now proceed to that part of the subject which relates to the trade with all parts of the world, strictly foreign, out of Europe. In the year 1814, the amount of British tonnage employed in this trade was four hundred and sixty-five thousand, eight hundred and nine tons. In the year 1836, its amount was five hundred and three thousand, and twenty four tons; exceeding the tonnage of any one year, since 1814, except 1818: whilst, with the single exception of the United States of America, there has been no increase at all in the amount of tonnage of foreign vessels trading between this country and ports out of Europe. And even allowing for the increase of American shipping, there are seven years out of the thirteen, from 1814 to 1826, in which the amount of foreign shipping entering the ports of this country, from places out of Europe, was greater than in the year 1826.

I now come to that portion of our foreign trade which is more immediately under our own control: I mean the trade to the colonies. And here a heavy charge has been made against me, by my gallant colleague,—that I have gratuitously, unwisely, and unnecessarily, opened to the competition of the shipping of other countries this trade, which had previously been exclusively our own. I admit that the trade of the colonies has been thrown open; but I have the satisfaction of stating to the House, that we had not thereby, in the slightest degree, injured our own trade, or decreased the amount of British shipping to which it affords employment.

I will first take the trade with the West Indies. In the last year the amount of British shipping engaged in that trade was greater than it had been in any year subsequent to the peace, excepting 1814 and 1815; during which years we still retained several colonies which have since been restored to the powers, from which they had been taken during the war. In this branch of trade, therefore, the shipping of this country has suffered no diminution.

Next comes the trade with our North American colonies. I hardly know in what terms to describe its growth. It has increased in a proportion that may truly be called gigantic. Instead of the tonnage employed in it amounting, as it did in 1814, to eighty-eight thousand, two hundred and forty-seven tons, in the year 1826 it had increased to four hundred and seventy-two thousand, five hundred and eighty-eight tons. This trade, therefore, has been more than quintupled in twelve years, and exceeds in the last two former years, 1825 excepted, the tonnage of which was four hundred and eighty-nine thousand, eight hundred and forty-four tons.

In the trade to the British possessions in the East Indies, as well as in that to the coast of Africa, there has been a considerable increase since the restoration of peace. Indeed, I am at a loss to find a single branch of our trade, foreign or domestic, in which there has not been more or less of augmentation, with the exception of the Deep-Sea Fishery, in which there appears a trifling diminution. This diminution is, however, in my mind, easily and satisfactorily to be accounted for. It must be recollected that, during the war, we had nearly the exclusive possession of this fishery, and supplied all the other nations of Europe with oil. Since the peace, several of those nations have prohibited the importation of fish oil. It was not, therefore, to be expected, that we could continue to employ our shipping in that trade so extensively as heretofore. Besides, there is another circumstance, as connected with this subject, to be taken into consideration; namely, that the demand for oil has been considerably diminished, in consequence of the new mode of lighting cities and towns with gas, adopted throughout this country.

With regard to the separate trade of Ireland, it is highly gratifying to find, that there has been a considerable increase in her intercourse with all parts of the world, and particularly with the Baltic, and the British provinces in North America. I rejoice exceedingly at this improvement. I hail the great increase in the consumption of timber in Ireland; not only as it regards the general interests of our maritime relations, but as creating a strong presumption, that an increased
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This new and extensive opening for the employment of our second-class ships would not leave the owners of them without resource, even if their most exaggerated prediction—"that, in a few years, they shall be wholly driven out of the timber-trade with the Baltic," should be realized. I do not share in this apprehension, for a reason to which I now invite the attention of the House, and especially of the honourable mover and secondon of the present motion.

I have applied to the timber-trade with the Baltic that same test which, taunted to it by my opponents, I had applied to the other branches of our trade. I have taken the respective averages of five years, we ten years, and of the last three years: I have compared these several averages with the year 1826. The following is the result:

The average Number of loads of timber imported from the Baltic for five years from 1814 to 1819, both inclusive, was 49,926 61,903

The average Number for ten years, from 1814 to 1823, both inclusive, was 54,190 58,904

The average number for three years, from 1824 to 1826, both inclusive was 100,467 113,692

The quantity imported in 1826, was 87,876 68,501

If this result shall prove as satisfactory to those who were the first to call for it, as it is to myself, who have yielded to their call, both sides will be equally gratified. In this case, as in the former instance, I have taken the averages between 1814 and 1826. In all three, the foreign tonnage employed in this trade exceeds that of this country. Let the House compare these averages with the year 1826, in which the proportion of British to the foreign shipping is nearly as four to three, and then let them say, whether this comparison warrants the assertion, that we have been deprived of our fair share of this trade by the reciprocity system, or justifies the petitioners in appealing as they do, to the experience of the last year, as furnishing the proof of that assertion.

I had nearly forgotten one most material part of the present subject: I mean the coasting trade; which, like the colonial, we are enabled to keep entirely to ourselves. It was by "jumbling up" this with the foreign trade of the country, that I was enabled, according to certain sapient...
gentlemen, to boast last year of an aggregate of British shipping, entered inwards, amounting to upwards of two million seven hundred thousand tons; I will now tell these gentlemen what has been the amount of shipping entered inwards in the coasting trade alone, for the last four years.

In the year 1823 it was 7,638,802 tons.
1824 8,101,237
1825 8,300,766
1826 8,368,811

Such is the amount of our coasting trade—a trade surpassing all others, for the formation of brave and hardy seamen. It is a trade, too, with which the policy of Foreign States can in no way interfere; but which must increase with the growth of the manufactures, the agriculture, the wealth, and the population of the country.

Let the House compare the total amount of this trade with that portion of our intercourse with the continent of Europe which is carried on in foreign shipping. The latter is about five hundred thousand tons—the former upwards of eight millions. Again, let them compare the nature of these two trades, as schools for the formation of experienced and danger-defying seamen. The trade from Norway, and from the Baltic (at least as far as foreign ships are concerned) is a fine-weather navigation, carried on during the summer months. The greatest part of the intercourse with the Elbe and the Weser is of the same character. Nearly the whole of the remainder is from the ports of Holland, or those of France within the channel. When we talk of trade as the nursery of seamen, and the foundation of naval power, will any man place in the same scale any part of this navigation with that which, at all seasons, and in all weather, is carried on between Great Britain and Ireland, and round the coasts of both these islands? Yet it is this carrying-trade, comparatively insignificant in amount, and of no importance in any other respect, divided between six or seven different states in Europe, some of them not possessing, or likely ever to possess, a single ship of war, that is to undermine and destroy the maritime greatness of this country! It is to avert this danger, that we are called upon to persevere in restrictions which, if retaliated (as we know would be the case), would be ruinous to the interests of our manufacturers and our commerce—and to punish that retaliation, if persisted in, by resorting even to the extremity of war!

There is another speculative grievance which dwelt upon in the petitions now before the House:—The act passed in the year 1825, by which the ports of our colonies were opened, on certain conditions, and within specified limits, to the shipping and trade of all friendly nations. For having introduced this act, I have been greatly blamed by the shipping interests, and other parties who have joined in their clamour. Having, at the time, fully explained to the House the grounds on which I submitted this measure to parliament, I will not now revert to them at any length. It is enough for me that, in so far as it affects the British possessions on the continent of North America, this relaxation of our ancient colonial system was recommended, not only on sound commercial principles, but by views of a higher nature, by the lessons of experience, and by considerations of political expediency. The change has been highly gratifying to his majesty's loyal subjects in these provinces. It cannot fail to contribute to the more rapid growth of their prosperity; and no proof has been offered, none can be adduced, that it has in the smallest degree, injured any British interest. It is impossible that it should; it is not in the nature of things, that whatever tends to increase the wealth and population of these valuable provinces, should not, at the same time, conduce to the general prosperity of the mother country, so long as they continue a part of the British empire.

It is by liberal treatment, and by admitting the inhabitants of this extensive territory, as much as possible, into a participation of all the benefits of our own navigation and commerce; and not by treating them as we might a small sugar island, interdicted from all intercourse with other countries, that we may expect to insure their attachment, and to maintain them in a state of colonial connexion, alike beneficial both to us and to themselves.

It may be said, however, "whatever good reasons there may be for these measures of indulgence to British North America, why extend them to our sugar colonies in the West Indies? Surely to them you may prescribe any conditions however exclusive, which the interests of the parent state may require. They can-
not help themselves, however rigid the rules of monopoly or dependence under which you may place them; and to open their ports, therefore, to the ships of other European nations was, on your part, a wanton and gratuitous injury done to the shipping interest of this country." Admitting that we possess the power which this argument assumes, and without stopping to inquire how far, because one party is weak, and another strong, it is just to exercise such a power, if to the injury of the former, I maintain that, for the protection and security of British property in the West-Indies, for the sake of the commercial interests of this country, and in strict furtherance of the true principles of our Navigation-laws, as those principles were understood and acted upon by our ancestors, the government of this country was called upon, under the present circumstances of the world, to allow the nations of the north of Europe, subject to the conditions laid down in the act of parliament, to trade directly with our sugar colonies.

It is well known that, ever since the separation of the United States of America, the West Indies have drawn from that country their principal supplies of lumber, flour, biscuit, and other articles of which they stand in need. At first, this intercourse was carried on under orders in council, and was confined to British shipping. But the government of the United States, by degrees, imposed upon the British ships engaged in this trade such restrictions, that, of late years, they have been nearly excluded from it, and by far the greatest proportion of it has been transferred to American vessels. Yet, so necessary are the supplies of this description to our West-India colonies, that, in the year 1825, an act of parliament was passed, legalizing the intercourse in American ships; which, till then, had been carried on by connivance, or under the assent of temporary orders in council.

The principle being thus established, that our West-India colonies were to be at liberty to draw their necessary supplies from foreign states and in foreign shipping, the questions naturally arose:—Why are the United States to be exclusively favoured in this respect? Why are the states of Europe to be shut out from attempting a competition in furnishing the like articles? There appeared to me no reason for this exclusion, and many obvious ones why it should not be persevered in.

In the first place, it was reported from all our colonies, that the United States, instead of taking, in return for their produce, rum, molasses, and other products of our islands, had ceased to afford this relief to the planters; and that specie, or bills upon England, were, of late years, the only terms of payment upon which American cargoes could be procured. Upon this ground alone, would it not have been worth while to try whether other countries dealing in the like cargoes, would not be satisfied to take in payment a part of the surplus produce of our colonies? And, at any rate, where could be the mischief of such an experiment?

In the second place, nearly the whole of the supplies from the United States, as I have already observed, were conveyed in American vessels. By an authentic account published in the United States, it appears that, in the year 1825, this trade gave employment to one hundred and one thousand six hundred and four tons of American shipping—an amount not much short of one half of the total tonnage engaged in the trade between this country and our West-India colonies. And here it may not be amiss to observe that, by this same account, it appears, that the whole American tonnage trading to the West Indies (where the United States do not possess a single colony) exceeds the whole tonnage employed by this country in that trade—not less than one hundred and fifteen thousand four hundred and eighty-one tons of American shipping being employed in the trade of Cuba alone. Now, I have always understood that the primary object of the Navigation-laws being to maintain for ourselves a great commercial marine, the next great principle of those laws was, to prevent too great a share of the foreign carrying-trade being engrossed by any one particular country. Was it, then, a subversion of our Navigation system to invite such powers as Prussia, Denmark, Sweden, the Hans Towns, &c. to participate with the United States in the trade which we had permitted to the latter with our sugar colonies? Which of those powers is aspiring to raise a commercial marine, to preponderate over that of Great Britain? Which of those states is, year after year, augmenting its military marine, by building ships of war of the largest
class? Which of those powers possesses a formidable navy, and is looking forward to the time when it expects to wrest from this country its sway upon the ocean?

In the third place, was it prudent that the supply of our West-India colonies, in articles of first necessity, should depend upon the good-will of any one power, and that they should be exposed to the risk of all the inconvenience which a sudden interruption of that supply might bring upon them?

These considerations were surely sufficient to induce his majesty's government to extend to other powers, the same facility of trading with our sugar colonies which had been granted to the United States. In doing so, it became our duty to revise the whole system of that trade. It appeared to us, for reasons which I have stated on a former occasion, that, without prejudice to any British interests, the colonies would be relieved and benefited by affording a greater latitude to the trade between them and foreign states.

To this trade we annexed conditions, alike for the United States and for all other countries. The United States did not think proper to comply with these conditions; and all intercourse between them and the colonies has, in consequence, ceased. This was their choice in declining our terms; but, since they were declined, I cannot say that, with a view to the interests of our navigation, I regret the course which the policy of the American government has forced us to adopt. It is with no unfriendly feeling towards the United States, that I make this statement. There is nothing in what has occurred which ought to give rise to such feelings on either side. They might have enjoyed, like others, the boon which we tendered equally to all, when we opened the trade with our colonies. We have no right to complain that they adhered to terms incompatible with the conditions on which we tendered that boon; neither can they complain, having made their option to decline our conditions, that the boon is withheld from them, and granted to other nations, by which those conditions were accepted.

"But," say the ship-owners, "you have done right in shutting out the shipping of the United States from this trade. It is not of the order in council, issued for that purpose, that we complain. Our grievance is, that the interdiction is not equally extended to the shipping of all other countries." Do these gentlemen recollect, that this would be placing our sugar colonies under a more severe system of exclusion, than has been applied to them at any period since the independence of the United States: a system which, in spite of the wishes and policy of the government, after the close of the first American war, it was found impossible to enforce. To enforce such restrictions now, would be to expose the British sugar colonies to the greatest distress. It is vain to contend that, because we grant to them a monopoly of the British market for their staple productions, they ought in return to draw all the articles of which they stand in need, exclusively from this country.

The monopoly granted to the West-India planter is of little or no advantage to him. By conquests made during the last war, by cessions obtained at the last peace, you have extended your sugar colonies in such a degree, that the quantity which they now send to this country exceeds by sixty thousand thousandheads (about one-fifth of the whole supply), the consumption of this country. This excess must be sold in the general market of Europe. The price which it will command in that market, it is obvious, must be regulated by the rate at which other sugars of like quality (those of Brasil, Cuba, and the East-Indies) can be afforded in the same market. It is equally obvious, that the price of this excess must determine the price of the other four fifths consumed in the United Kingdom. The monopoly, therefore, affords little, if any, substantial advantage to those upon whom it is conferred. They must be able to produce sugar in competition with the foreign grower.

But, if they are exposed to this competition, the House will at once perceive, that it becomes necessary to afford them every reasonable facility in procuring at moderate charges, those articles immediately necessary for the cultivation of their estates, which this country cannot supply with sufficient regularity, and except at prices greatly exceeding those which are paid for the like articles in other countries, their rivals in the growth of sugar. It is the duty of the government to endeavour to regulate and balance the conditions of this foreign supply, on the one hand, with a reference to this last consideration (its which is involved the well-being of our
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colonies); and on the other, to the interests of our own navigation. It is on this joint principle, that the law of 1825 was framed and submitted to parliament. I have already shown that, since the passing of that law, there has been an increase, instead of a decrease, in the British shipping trading to our sugar colonies. Of the law, as far as it has hitherto operated, the ship-owner, therefore, has no right to complain; and it cannot, I think, be denied by any reflecting man, that, in the present state of our colonies, we could not adopt towards them a more exclusive system of commercial policy, without the greatest risk of aggravating their present difficulties; and that to aggravate those difficulties, and to involve the planters in ruin, is not the best mode of permanently protecting and upholding the shipping interest of this country.

If these considerations cannot be lost sight of in reference to our sugar colonies, they apply still more forcibly, to Newfoundland. The indulgence of trade granted to that settlement has been denounced, in the most severe terms, as amounting almost to criminality on the part of the government. What is the real state of the case? The value of this settlement, it is well known, is derived altogether from the fishery. The right of fishing on the coasts of that island, and in the adjacent waters, is shared with us both by France and the United States. Now, a very inconsiderable portion of the produce of the British fishery is consumed in this country. It is principally sold in foreign markets, where we have to encounter the competition of the Americans and the French, but more especially of the former. Our only chance of sustaining that competition, it has been found by recent experience, depends upon our giving every facility for supplying all the wants of our own fishermen upon the cheapest terms. It is upon this principle that we have allowed a free trade, without duty, to Newfoundland. We had to make our choice between this sacrifice, and the loss of the fishery. By the alternative which parliament has adopted, some injury, it cannot be denied, is sustained by those trades which heretofore had the exclusive supply of the Newfoundland fishery with articles of British produce. These articles are now furnished from the cheaper markets of the continent. This will be manifest from the return which I hold in my hand, of the goods exported from Hamburgh to Newfoundland, in the first six months of the last year, consisting of flour, biscuit, salt provisions, &c. But then this export took place in British ships, amounting to five thousand four hundred and fifty-six tons, which were despatched from this country to Hamburgh for that purpose. This export, therefore, was of no injury to our shipping. That the Newfoundland fishery is one of its best means of encouragement is, I believe, generally allowed; and with this understanding, I think I have now said enough to prove, that the relaxation of our Navigation-laws, in the instance of Newfoundland, was necessary for the preservation of the fishery, and was made, consequently, in furtherance of the shipping interest, however much at variance with the rigid regulations and prohibitions of our ancient navigation and colonial system.

Another charge which has been added against me by the shipping interest is, the having opened the ports of British India to foreign ships. This charge is almost too ridiculous to be noticed. Do those who make it consider the East Indies as they would some small insular colony, from which they could exclude all the rest of the world? Do they forget that other European nations have settlements on that continent, some of those settlements situated even on the shores of the Ganges itself? To have brought forward such a charge, only proves the monopolizing spirit, as well as the gross ignorance, of those by whom it has been made. This permission to foreign states to trade with British India, instead of being one of the rash innovations of the present day, has existed, I believe, at all times, but certainly ever since the year 1797, when it was specifically provided for and regulated by an act of the 37th of the late king, with a simple reference to which I shall at once dismiss this part of the subject.

When it is recollected, that the tonnage of our mercantile marine was nearly doubled in the course of the last war; that during a great part of that war, but especially in the latter years of it, there was the greatest excitement to ship-building; that whilst the profits of freight were very high, little regard was paid to economy in the construction and repair of ships; and that upon the unexpected
cessation of the war, between three and four hundred thousand tons were discharged from the public service; it cannot be matter of surprise, that we had more merchant ships than could find profitable employment, under all the changes in our situation produced by the restoration of peace. It must also be borne in mind, that our merchant ships were, from that time, no longer subject to the restraints and delays of convoy; and that other nations, of which the navigation had been altogether suspended by the war, not only resumed their former share in the commerce of the world, but began to use every means in their power to increase and promote their shipping. The wonder is, not that the profits of ship-owners have been diminished with the diminution of demand, but that, under all these circumstances, this country has been able to maintain, up to the present time, its mercantile tonnage, at an amount so very little below that at which it stood at the close of the war. That this is a fact cannot be denied. In my opinion, there would have been a much greater falling-off in our tonnage, and a much greater degree of distress among ship-owners, if those alterations had not been made in our commercial policy, of which they short-sightedly complain; and it would have been better for their relief, if they had been adopted, at an earlier period after the restoration of peace. So far from their being innovations, rash and uncalled-for, I maintain, that they are either the necessary adaptation of our ancient principles to the new circumstances of the world; or real and substantive improvements, such as would have been made twenty years sooner, but for the general subversion and confusion which grew out of the French war. They are only the following up of those principles of good-will and liberal commercial policy between nations, which Mr. Pitt inculcated, and, as far as possible acted upon, from 1786, till he was forced into war by the progress of the French Revolution. With the restoration of peace to the world, and of a settled order of things in Europe, it was fit, and for the interest of this country, that those principles and that policy should revive. That they were not lost sight of by those who had the greatest interest to see them adopted, I mean the enlightened merchants and ship-owners of this country, I could prove, by abundant references to their proceedings, in 1814, 1816, and 1818. I shall content myself with quoting only one important document. I wish those who are now so clamorous against the general warehousing system, and the other changes in our navigation and commercial policy, which became necessary to carry that system into effect, would only read the letter addressed to the Board of Trade by Mr. Buckle, so early as the 13th of July 1814. Mr. Buckle was then chairman of the Brazil Association of Trade: he has since been chairman of the Shipowners' Association. The letter is too long to be read by me on the present occasion; but every sentence of it is well worth perusal. Honourable members will find it annexed to the first report of the committee on Foreign Trade, made in this House on the 18th of July 1820. The only thing to be regretted is, that the excellent suggestions contained in this letter were not sooner adopted. I do not mention it as blame to any one, that they were not. I am aware of the prejudices which, in many branches of our manufactur-
member for Northumberland has told you of the great boon which has been gratuitously granted to foreign ships, by lowering the Light and Harbour dues to which they were liable, and of the expense which has been incurred out of the public revenue for that purpose. But, how could we expect to make this country the emporium of the commerce of the world, if these heavy exactions were to be levied from all foreign vessels visiting our ports; especially if there exist other emporia, equal, or nearly equal, in convenience (Antwerp for instance), where such exorbitant dues are not demanded? Indeed, I am surprised that any gentleman, who has ever looked into the evidence taken before the committee on this subject, should for a moment object to the reduction of these charges. They there stand condemned by almost every merchant and ship-owner examined, on grounds more cogent than those of mere commercial policy. It was proved that, from the dread of these enormous dues, foreign ships, sailing along our coasts, or through the Channel, were deterred, even when in distress, from putting into a British port; that shipwreck, attended not only with the loss of property, but of lives, was frequently incurred in struggling with adverse weather, because the captains of foreign ships were forbidden by their owners to expose them to the ruinous expense contingent upon seeking shelter from a storm, within the inhospitable limits of any English harbour. Is this a state of things, which, for the honour of England, any man is anxious to see revived? If there be such a man, let him read the evidence a little further, and he will see that, upon the most selfish calculation, there was more lost than gained by this repulsive system. But, as it stands condemned for its inhumanity, I should be ashamed of urging any further argument against it in a British House of Commons.

It may, however, be said, that the discriminating duties upon goods imported in foreign ships rest upon a different footing from these Light and Harbour dues; and that, in giving up the latter, there did not exist the same necessity for abrogating the former, under what is called the Reciprocity system. I grant that the necessity was not the same; but if the principle be admitted, that other powers have a right to retaliate these discriminating duties, either upon British goods, or British ships visiting their ports; if the fact cannot be denied, that some of these powers, Prussia in particular, had actually exercised this right of retaliation, and that there was no reason to expect that she would desist from that exercise, or that other states would not follow her example, then I say, that the interests of this country required of us to put an end to this system of commercial hostility, by acquiescing in an arrangement for the mutual abrogation, on both sides, of these discriminating duties.

As I have already, more than once, both officially, and in my place in this House, stated the principles which have guided his majesty’s government in these transactions, I will not now dwell upon them. I shall content myself with noticing one or two mistakes which have been most prevalent upon the subject, among the ship-owners and their advocates, and which have been more or less pressed into the service of my gallant friend this evening. It has been assumed, that I am the author of the Reciprocity system, and that Prussia was the first power with which we stipulated for its adoption. I agree with those who have fallen into this error that, if you once consented to the removal of the discriminating duties in respect to one power, you could not, upon principle, refuse it to other powers. But when I add, that we stipulated for this removal; first, with Portugal and Brazil in 1810; secondly, with the United States of America in 1815; those who cast all the blame upon the treaty with Prussia, which was not entered into till 1824, will see how little I had to do with creating either the first or second precedent, whilst they admit that one was sufficient to take away all fair ground for refusing to enter into a like arrangement with all other powers. I am the more glad to have had an opportunity of recalling to the recollection of the House the course of these transactions, as it has been recently observed, in another place, by one nearly allied to a late noble lord, who held a very prominent situation in the councils and diplomacy of this country from 1810 to 1822, that, during his administration, the shipping interest was protected from the ruinous innovations which have since been so rashly introduced into our Navigation-laws, and our reciprocity treaties. I can only say, that the two first reciprocity
treaties were entered into under the administration of that noble lord; that all
the changes, without any exception, made in our Navigation-laws, in furtherance of
the reports of the committee on Foreign Trade (and these include all the principal
changes which have taken place), had his entire concurrence and support in this
House, as they had, I believe, of every other member of the cabinet to which
that noble lord belonged. In respect to any further alterations which have been
made, either in the laws of commerce or of navigation, since I have held my pre-
sent office, I boldly affirm, that I am not aware of there being any difference of
opinion between my colleagues and myself respecting them; and of this I am
quite certain, that they were cordially approved of by my noble friend, till lately
at the head of his majesty's councils.

I have thought this explanation, Sir, just to others, as well as due to myself.
In my judgment, all the measures in question were called for by the circumstances
of the times in which we live, and by a due regard to the true interests of the
country. But, whatever be the merits or demerits of the system which I uphold, I
owe it to truth to claim in it no more than my own share. That share consists
in having followed, according to the best of my judgment, the path which I found
chalked out by committees of parliament, and by other and more able men than
myself who had preceded me in the administration of the commercial concerns
of this country.

To revert to the Reciprocity Treaty with Prussia. My gallant friend has talked
of it as a gratuitous concession to that power, for the making of which I had, on
a former occasion justified myself by this childish reason—that without it, “the
Shipping of Prussia would have been mined.” A more complete, and, let me
add, foolish perversion of any argument never was attempted; and I am only sur-
prised that my gallant friend should have condescended to borrow it from the
miseraible scribblers on this subject, who have not scrupled to use it out of doors.

Does my gallant friend mean to adopt their insinuation, that I sacrificed a great
British interest to a morbid feeling of compassion, or—what some of those
hirelings would fain wish to have understood—to a corrupt sensibility for Prussian
ship-owners? Prussia issued her edict imposing discriminating duties, not upon
British shipping, as British, but alike upon all shipping belonging to countries which
levied discriminating duties upon the ships or goods of Prussia. Great Britain
was not even specifically adverted to in the edict—neither was it communicated
to us at all by the Prussian government. The communication came from our own
minister and consuls, accompanied with the loud complaints of our merchants.
We addressed remonstrances to Prussia. Her answer was: “This is a municipal
regulation with which you have no right to interfere. The discriminating duties
of other countries are ruinous to our shipping.”

In the port of Danzig, which some years ago, had one hundred and eight large
ships, there now only remain fifty-five of smaller dimensions. We have followed
your example, to protect this remainder from ruin.” It was with a reference to
this reply that I stated, there was no hope of procuring the repeal of the
Prussian discriminating duties, so long as we persevered in our own.

This reply has been characterized as the “insolent dictation of a petty German
prince,” to which our rejoinder should have been from the mouths of our common
rather than submit to the cowardly sacri-
fice of any of our commercial monopolies. Those who hold such language, and re-
commend such expedients, have a very different notion of what becomes the dignity
and honour of this country from the feelings which I, and, I trust, those whom
I am now addressing, entertain upon this subject. I pass over, as unworthy of
notice, the indecorous expression applied to a sovereign in alliance with this coun-
try, and with all the great powers of Europe. But I hope I shall never bear
any share in the councils of England, when a principle shall be set up, that
there is one rule of independence and sovereignty for the strong, and another
for the weak; when, abusing its naval superiority, England shall claim for her-
self either in peace or war, maritime rights which she refuses to acknowledge
in other states, or shall, under any circum-
stances, either neutral or belligerent, im-
pose upon others obligations, from which
she claims, under the like circumstances,
to be herself exempt. To act as if there
were one rule of international law for our-

selves, and a different rule for other states,
would be not only monstrous injustice,
but the only course, I verily believe, by which our maritime power could be brought into jeopardy. Such a pretension would call for and warrant a combination of all the world to defeat it; and it is only from such a combination, acting together in a just cause, that this country can have any thing to apprehend.

The same parties who are so flippant in recommending retaliation and violence against Prussia, tell us, that our commerce would sustain little or no loss, even if we were to interrupt all intercourse with that country—that the whole annual consumption of British produce and manufactures in the dominions of Prussia does not exceed 400,000l.; and that, owing to prohibitions and high duties upon our goods, even that paltry amount is diminishing every year. All this statement is founded either in wilful misrepresentation, or the most gross ignorance. Within these few days there has been laid upon the table of the House a document, showing that the value of British goods which entered the Prussian dominions in 1823, instead of being 400,000l., was upwards of seven millions sterling. This account, it is true, is formed upon the price of the goods at their entrance into Prussia; and is therefore, necessarily higher than their declared value upon exportation from this country, by the expenses of freights, carriage, insurance, mercantile profit, &c. But the quantity, as well as the value of the goods, is given in the return, and upon those quantities it is easy to ascertain the English valuation; which, after inquiry, I am warranted in stating would have been at least five millions for that year. The reason of this great difference between the actual entries of British goods at the Prussian Custom-houses, and the declared export from this country direct to the ports of Prussia in the Baltic, is so fully explained in the Prussian document to which I have referred, that it is unnecessary for me to dwell upon it at present. But I cannot help observing that, from the geographical position of the Prussian territories, this power, in a great degree, commands the navigation of the Vistula, the Niemen, the Oder, the Elbe, the Weser, and the Rhine—that is, of all the great water communications by which the productions brought by sea are distributed over Germany, and through most of the central and eastern states of Europe.

But then, Sir, we are told of the Prussian prohibitions against, and high duties upon, British merchandise. What are the facts? First, the transit duties in Prussia are very moderate, not exceeding one half per cent.; secondly, the duties on the internal consumption of British goods are what we should consider very low—upon most articles fluctuating from five to ten per cent.—upon no one article, I believe, exceeding fifteen per cent: and, thirdly, there is not, in the whole Prussian Tariff, a single prohibition. I trust that the time will come when we shall be able to say as much for the Tariff of this country. Then, Sir, to crown the whole, it appears by another document, laid upon the table within these few days, that, even in the last year, the tonnage of the British vessels which sailed from the ports of Prussia was equal to much more than a moiety of the whole shipping of Prussia which sailed from those same ports—and yet, in the madness of the spirit of monopoly, we are called upon to go to war, because we have not the other half, and to forgo the benefits of a commerce such as that which I have now described!

The population of Prussia, in its turn, is crying out for monopolies, and prohibitions against the manufactures and produce of this country. The government, as we well know, has been beset by these clamours for many years; and if it has not yielded, it is, I am convinced, because it has been expecting (and, as our recent policy has proved, not in vain) rather a gradual relaxation, than the addition of fresh restrictions, in our commercial system. Let the advice of the ship-owners be followed, and our commerce would not be long without feeling the baneful result.

I think I have proved, beyond the possibility of contradiction, that, if our ship-owners be in a state of distress, it is not a diminution of employment which has brought them into difficulty. It may be, and probably is, that there has been over-building in shipping, as there has been over-trading in so many other branches of our national industry. I do not believe that there is a greater diminution in the present money-value of shipping property, compared with its money-value in 1825, than there is, measured by the same standard, in all the fixed capitals vested in our manufactures—than there is in the raw materials consumed, or in the goods created, by those manufactures—than there is in
houses and buildings of every description — than there is in the wages of the manufacturing labourers, taken upon an average throughout the kingdom. Among those artisans whose labour is their only capital, recollect the case of the hand-loom weavers. They tell you, not that the profits of employment are diminished, but that they are thrown out of employment altogether, in consequence of inventions which they could not foresee when they were brought up to this mode of gaining a livelihood. To those who are thus left destitute and without employment, by no fault of their own, you refuse a committee — and will you give it to those who complain not of want of employment, but only that the employment from causes which you cannot control, is comparatively unprofitable? When I say comparatively, let it be recollected, that it has been stated in this House that, in 1825, the profits of the ship-owners, particularly in the Baltic trade, were very large; and that they, at least, had the good fortune to realize those profits, whilst the extravagant ventures which so much raised freights, have, in almost every instance, left nothing but heavy loss or total ruin to those who incautiously embarked in them.

As the course of my argument has led me to advert to the suffering and stagnation which have now existed for so many months in the manufacturing districts, it will not be irrelevant to the immediate subject of our consideration, if I implore this House to be cautious how it listens to any suggestion, the effect of which might be to raise the cost of the raw materials employed in our principal manufactures. Let them recollect, that England is no longer the only country in Europe, in which the capitals embarked in great manufacturing establishments are considered to be secure — no longer the only country in which commerce and industry are respected, and even honoured by the government — that France, which, in 1817, imported only sixty thousand bags of cotton, had an import of two hundred and sixteen thousand in 1826 — that a formidable rival to our cotton manufacture has recently sprung up in the United States of America, which already boasts of consuming nearly one fourth of the cotton grown in those states — and that, whilst our manufacture of this article is exposed to the growing competition of France and America, it is with great difficulty that we are enabled to keep our ground against the hardware, the woollens, and the linens of the Netherlands and Germany, in the general markets of the world.

It cannot be too strongly impressed upon our minds, that, whatever increases the agriculture, the trade, or the manufactures of the country, must eventually afford increased employment to our shipping; whatever impairs or destroys those great interests, all connected, and dependent as they are, each upon the other, must, at no distant period, and by no doubtful consequences, undermine and weaken our commercial marine.

I could wish these truths to be seriously considered, not by the ship-owners alone, but by others who are equally disposed to find fault with that enlarged system of commercial policy which, recommended from the Throne, has of late years been steadily persevered in by parliament. There are, I know, gentlemen in this House, who condemn that policy; but I have never had the good fortune to hear from them any better argument, or any stronger objection, than is to be gathered from their authoritative declaration — "that they are decidedly against Free Trade." I wish that some of these honourable members — the hon. baronet from Kent — the hon. baronet from Somersetshire — or the hon. baronet from Suffolk, for instance, all of whom must have thoroughly considered this whole question, before they pronounced their judgments against it — would have the goodness to tell us what they understand by "Free Trade." I think myself entitled to make this claim on their courtesy, if not on my own part, at least on the part of the House; because I have distinctly stated to them, these honourable members, over and over again, the object, the drift, and the limits, of the plan, upon which his Majesty's government is acting, in respect to all matters connected with our national industry and trade. These honourable members must be aware, that much valuable time is often lost in useless discussions, from want of preliminary explanation. Let them, then, give us their definitions of "Free Trade," to which they object, and tell us fairly what is the opposite policy — call it "fettered Trade," or what they please — which they recommend. Are they desirous to limit trade and industry, as formerly, to Guilds and Corporations? Do they wish them to be confined to
chartered companies and monopolies?

Are they anxious to restore some thousand or fifteen hundred laws of absurd regulation and vexatious interference, which have been repealed? Is it their object, that the most experienced merchant should again be driven to the necessity, in conducting his ordinary business, of having a lawyer always at his side, to construe those confused and discordant statutes— that, escaping the penalty of one law, he should fall under that of another, imposing conditions incompatible, or contradictory, with the first; and that it should be left to the discretion of the revenue officer, either to punish these contradictions of the law, or to overlook them?

In short, let them point out what it is that has been abolished, which they would restore—what it is that is now permitted to be done, which they would no longer permit—and what (if any thing) not now permitted, they would permit to be done.

An explanation on these points might bring us to a better understanding; and, at any rate, if the three honourable baronets, who are so conspicuously opposed to free trade, would favour us with that explanation, coming from such quarters, it might, by throwing new light upon the subject, tend to enliven a very dry debate.

But, whether these honourable members condescend, or decline, to answer these questions, I do entreat of them, and of others who may be co-operating with them, not to entertain the visionary expectation, that improvement, either in the civil or the commercial policy of the state, can be arrested by their efforts. This country cannot stand still, whilst others are advancing in science, in industry, in every thing which contributes to increase the power of empires, and to multiply the means of comfort and enjoyment to civilized man. This country cannot stand still, so long as there exists a free press out of doors to collect and embody, and a free discussion in parliament to guide and direct, the influence of public opinion.

When I speak of improvement, I mean that temperate and gradual melioration which, in every complicated and long-settled state of society, is the best preservative and guarantee against rash and dangerous innovation. To improvement of that description it is the duty of each of us to contribute to the utmost of his power. It is by acting steadily upon this principle, that we shall maintain the lofty position which we now hold in the civilized world. That position, with all the fame and influence which justly belong to it, England has acquired by having hitherto taken the lead in this noble career of usefulness and distinction. In that career we must go forward, impelled by the retrospect of past associations, by a just sense of our present greatness, and by a due regard to the obligations which both the past and the present impose upon us, towards those by whom we are to be succeeded. If there be any man, either in this House, or in this country, insensible to these higher claims of public duty, and to be moved only by sordid considerations, even to that man I would say that, upon the most selfish calculation, England cannot afford to be in arrear of any other nation in the progress of useful improvement.—On the ground, that no case has been made out for granting a committee, I shall feel it my duty to take the sense of the House against the present motion.

Lord Milton said, he could not add to the detail of those important facts which had been so ably stated by the right hon. gentleman who had just resumed his seat; but his opinion was nevertheless most decidedly formed, and he trusted the House would not concede the motion to the gallant general. He thought the object, or as he might say, the animus, and intention of the motion was, to do away with that system of liberal commercial policy, for the introduction of which the country had reason to be grateful. England must go backward or forward; and, as it seemed to him, she could only avoid the former alternative, by adopting those sound principles of commercial policy which did not expose her to any sudden or disastrous change, and which might always be kept in operation. He was of opinion, that the opponents of the right hon. gentleman ought to be grateful that the proposed committee would not be granted them; for, after the statement they had heard, they must be convinced, that they could not go into an investigation, without having it proved to demonstration that they were in error. The losses they complained of having suffered this year seemed to him only a consequence of the general decadence, and part and parcel of that distress which had pervaded every class in the country. He thought, that if the committee were granted, it would only go...
to unsettle men's minds upon a question, in which their immediate interests appeared to him to be bound up with the present system. He himself had many doubts, whether the Navigation-laws had ever produced that benefit which some seemed inclined to attribute to them; but which he thought arose more from our geographical situation, than from any effect of acts of parliament. In fact, the sea was the proper element of this country; and if unfettered by commercial restrictions, she must always be great. Restrictive acts of parliament only tended to limit the exercise of her natural power. He was strongly opposed to the motion.

Mr. Peel wished to say a few words in explanation of the vote which he should give upon this question. He was opposed to the proposition of the gallant general. He was not prepared to acquiesce in granting that committee, if it was meant to pronounce the condemnation of a system to which he was pledged. If this motion had been discussed a month since, at the time that notice of it was first given, he should have voted against it as one of the ministry; and the change of his situation had not changed his opinions. But he should rest his vote on other grounds than those of consistency. He thought that no case had been made out which required investigation; and was of opinion, that the appointment of a committee at this moment would be in itself a great practical inconvenience, without producing any practical benefit. There were already sufficient documents before the House, to enable them to form a more satisfactory judgment than could be formed by any private examination of individuals interested, or who believed themselves interested, in the question. Although he felt bound to admit the existence of the distress of the shipping interest, yet he must say, that he thought it arose from the same causes which had produced distress in the other branches of the manufacturing and commercial classes. In the years 1824 and 1825, a great number of ships had been built, in the spirit of that speculation which then universally pervaded the country; and the proportion built then so greatly exceeded the demand, that the necessary consequence was a languor in the trade in the course of the following year. A full examination of the papers to which reference had been made, had satisfied him, that every necessary information was in the possession of the House; and that feeling, combined with the fact, that a month ago he should have resisted this motion, made him concur with his right hon. friend in giving a decided negative to the motion.

Mr. Carnes said, that he had pledged himself to support the motion for this committee, and he should therefore do so, if it was pressed to a division; although he must confess that it was utterly out of his power to controvert any one fact stated by the right hon. gentleman opposite. He was convinced, too, that if a committee was granted, its members must feel the same conviction as that to which his mind had now arrived. But, if the gallant general would persist in dividing the House, he must in conformity with his pledge, support the motion, although it would be against his own opinion [hear! and a laugh].

Mr. Ellison, as the representative of a commercial body, must support this motion. If he could flatter himself, that the statement of the right hon. gentleman would produce in the minds of the people generally, that impression which it had done in that House, and in his own judgment, he should vote against the committee; but he knew they wanted an investigation, and in deference to their wish, he should support the motion.

Mr. Baring said, he had come down to that House with a strong impression of the great importance of affording full protection to the interests of the British shipowners, even as disconnected from any other class of men in the country. There could be no doubt that the distress they had suffered was extreme. Whether what they proposed was capable of affording a remedy to that distress, or whether it was to be properly assigned to the cause which they supposed, were questions that he did not now intend to discuss. The fact that they did suffer distress was enough to make him wish to vote for a measure to which they looked for a degree of relief. He must, however, say, that he did not think a case had been made out; and he was aware, that even if a committee was appointed, they must be governed by the same proof which was now in the possession of the House; since they could only look to papers, and could not be guided by the speculative opinions of individuals. If they anticipated evils from
the system now in operation, they certainly ought not to call upon the House to act merely on their anticipations; but ought to wait till experience had in some measure justified them. On the other hand, though he did not think the ship-owners had established a case, yet his anticipations of the success of the present system were not as sanguine as those of the right hon. gentleman. He confessed, that though in the papers now laid before parliament there did not appear any well-founded ground of complaint, yet he could not see how, on a system of perfect reciprocity, we could continue carriers for other nations. He did not go upon experiments in one quarter or another quarter; but it seemed to him impossible for one nation to compete with another in the carrying-trade, or to enjoy it in concurrence, when every article relating to the ship was, in the latter, at half the price which was paid in the former. He had his doubts upon this subject; but still he would not act on the representation of the ship-owners alone, but would wait for facts. As to the general principles stated by the right hon. gentleman, he begged to express his entire concurrence with them; and, when the right hon. gentleman complained of having been unfairly attacked and abused, he must say, that he thought the complaint could not refer to the ship-owners of London, who were, certainly, too intelligent not to be aware of the obligations they owed him.

General Gascoyne said, that seeing the feeling of the House, and understanding that the session was not likely to last long enough to enable the committee to do any practical good if it were appointed, he should, with the leave of the House, withdraw his motion.

**HOUSE OF LORDS.**

*Tuesday, May 8.*

**CORN LAWS.** The Earl of Malmesbury seeing his noble friend, the Secretary of State for Foreign Affairs, in his place, would take that opportunity of submitting to their lordships' consideration, a motion to which he did not anticipate the least objection. His object was, to obtain information upon a very important subject, and he was anxious to move for the production of certain papers. He had discovered that a certain correspondence, to which it would be in the recollection of their lordships, a noble earl (Liverpool) had referred last year, when speaking upon the subject of the Corn-trade, was not in the possession of their lordships. This, he conceived, would in itself be sufficient to justify him in asking for these papers, but, in addition, he would read an extract from Mr. Jacob's report. The noble lord then read the extract, which was as follows:—"The representation of the distressed state of the agricultural inhabitants of the eastern part of the Prussian dominions, which has been here given, receives confirmation from the proceedings of the Landshalt, or assembly of the provision states of Prussia, in their last session. The address of the Assembly has not been made public, but is said to have been framed in very melancholy strains, and to have urged the king to take some measures of a decided nature, respecting the introduction of British goods; in order to induce our government to make some alteration in the Corn-laws. Whatever may have been the representation of the states, the reply of the king, which has been published, gives an air of probability to the rumours, that it had an object, in some degree of this kind. With regard to the prayer for an intercession with the English government, to repeal the Corn-bill, his majesty expressed a hope that, to improve the intercourse between the two nations, a change will take place in the English Corn-laws." The noble lord then proceeded to state, that a correspondence had subsequently taken place, upon the subject of the Corn-laws, between the Secretary for Foreign Affairs and the court of Berlin, which, as an Englishman, he could not help saying, he looked upon as highly improper. He had not, however, the least intention of insinuating that proper answers had not been given by the right hon. gentleman then at the head of the Foreign Department. As he was upon his legs, there was one important circumstance to which he would refer. It had been stated, that British and Irish manufactures were exported in large quantities, to the various ports of Prussia. He had made it his business to look over the accounts upon the subject, that had been laid upon their lordships' table, and he would read to them one or two items. In 1815, the value of British and Irish goods exported to Prussia, amounted to 830,399l. In 1826, it amounted only to 157,127l. so that there was a reduction of four fifths. It was evi-
dent, therefore, that some regulation had taken place which produced that reduction, or else, that some cause had operated, of which they were at that time ignorant. It might be said, perhaps, that this reduction had been occasioned by the Corn-laws, and in consequence of our not admitting foreign corn. But the returns included the average value of British and Irish manufactures exported, and the average quantities of foreign corn imported, since the year 1815. For the last three years, the average value of British and Irish manufactures exported was 126,000L. while the average quantity of foreign grain imported amounted to 257,000 quarters. For the three years immediately preceding the three last, the average value of British and Irish manufactures exported, was 217,000L. while the average quantity of foreign corn imported, amounted only to 26,000 quarters. From this it appeared clearly, that in those three years in which the quantity of foreign corn imported was the least, the average value of British manufactures exported was the greatest, and that, therefore, the reduction in the latter was not occasioned by the operation of the Corn-laws. He considered the subject as one of great importance, and the more so, because it had been stated, that British manufactures were still exported to the eastern parts of Prussia, to a very large amount. He contended that this was not the case; although he acknowledged that there were, and ever must be, he should think, large exportations to the Elbe and Weser, and the western part of the king of Prussia's dominions. He then moved, for a copy of the correspondence between his majesty's government and the court of Berlin, during the years 1825 and 1826, upon the subject of the Corn-bill.—Ordered.

HOUSE OF COMMONS.
Tuesday, May 8.

VOTE OF THANKS TO THE ARMY IN INDIA.] Mr. Wynne, in rising to move the thanks of the House to the British Army in India, for their services in the late war, said, he felt no small satisfaction, after the recent discordant discussions, in bringing forward a question, on which he anticipated no difference of opinion. The House had no duty more pleasing than that of acknowledging the merits, and rewarding the services, of the public servants; but it ought, however, to be careful and attentive in the distribution of rewards, so as not to confer them where they were undeserved. His object on that occasion would be, to conciliate and unite all parties in support of the vote of thanks which he intended to propose; seeing that the value of the vote would mainly consist in the unanimous feeling of approbation with which it was carried. For this reason, he should omit any particular commendation of the political management of the war, as that was a part of the subject on which gentlemen held various opinions; not, however, that he would not content himself with the praise which was due to the governor-general for the perseverance, constancy, and judgment, with which he had prosecuted the war. But, on the present occasion, he should confine his observations to military matters, putting aside those political topics which might tend to excite a difference of feeling. There had been several cases before the present, in which votes of thanks were given to the governor-generals of India, for their conduct of the warlike operations; for instance, to Lord Minto, when in his capacity of commander-in-chief; and to the marquis Wellesley, as captain-general of the forces, when he contributed, by his personal management of the military operations, to carry his own plans into execution. But the present differed from those, as this vote would be confined to those who executed the operations of the war, and not to those who planned them. That army, while it equalled in gallantry any former body of men that ever took the field in India, had also overcome all the difficulties arising from a march through a country not previously explored, and in the season of the periodical rains. These sufferings they had surmounted with the greatest constancy and courage. In this war, which lasted two years, it was but just to state, that, with all this bravery of the land forces, it would have been impossible to succeed, had not their movements on the banks of the rivers been seconded by the active and valuable exertions of the flotillas. In this department, too, much assistance had been derived from the employment of a power, then for the first time introduced into war—steam. The steam vessel had been very useful, not merely in carrying on communications with despatch, but in overcoming formidable resistance. He would not
occupy the time of the House, by detailing the several meritorious services of the many gallant officers who had distinguished themselves—as Sir Archibald Campbell, who commanded the army before Prome; general Cotton, and others. He could not, however, omit one particular merit of Sir Archibald Campbell; namely, the spirit of moderation with which he had checked the advance of his army, when within four days march of the enemy's capital, and the readiness with which the men yielded to his command, at a time when they might be said to have the city in their hands, and were glowing with the expectation of those peculiar advantages that arise to soldiers from the forcible possession of an enemy's city. Sir Archibald, however, feeling that he had a higher duty than that of satisfying the personal interest of his soldiers, and his own, thought it more just and wise to effect a conclusion of the war, on almost any terms that the enemy would accept, than to proceed to such a melancholy extremity.—It would be his duty to move the thanks of the House to another body of troops engaged elsewhere, namely, Lord Combermere, and the forces under his command, employed against the fortress of Bhurtpore. And here he should remark, that much praise was due to the conductors of the operations, for the activity and foresight with which they had brought together such an amount of force as rendered the capture of the place inevitable. That fortress was the only one which had formerly withstood the British arms, Lord Lake having been repulsed from it about twenty years ago. This circumstance had given rise to a superstitious idea in the minds of the natives, that its works were impregnable, and incapable of being taken by European arms. This rendered the capture of it a matter of great importance. In fact, nothing could be more necessary to the honour and the security of the British arms, and the British empire, in India, than the precaution of making so attack on that fortress that would not be attended with certain success. The thanks of the House were due, therefore, to Sir Edward Paget, the commander-in-chief, for the zeal and diligence with which he collected together, for that object, a larger force and more powerful means of assault, than had ever been assembled against it; and for the judicious promptitude with which he intrusted the command of that force, and the conduct of the enter-

prise, to Lord Combermere, an officer well worthy to succeed him in the chief command. Lord Combermere having received the appointment, immediately on his arrival, proceeded with all speed, and at much personal inconvenience and hazard, to take the command of the troops; and, to his lordship's zeal, energy, talent, and personal bravery, were to be ascribed much of the success of that glorious enterprise. Nor would it be just on this occasion, to pass over the merits of the native troops; particularly the readiness with which the Madras sepoys volunteered their services, and the cheerful fidelity with which they marched to the scene of hostilities, never losing a single man by desertion in the course of a long and laborious march. Of this merit, much, undoubtedly, was to be ascribed to the excellent arrangements of their commander, sir Thomas Monro, the governor of Madras. As the details of the campaigns were already before the House, he would not trouble it by a particular detail of the many instances of gallantry and good conduct displayed by the troops, but would move, "That the thanks of the House be given to general Lord Combermere, commander-in-chief of the forces in India, for his able and meritorious conduct in command of the forces employed against Bhurtpore, and for the ability, judgment, and courage with which he planned and directed the assault of that fortress; the success of which brilliant achievement has highly contributed to the honour of the British army, and the permanent tranquillity of our possessions in the East."

Mr. Hume seconded the motion, and said, he was happy to be able conscientiously to do so. Indeed, in his opinion, the right hon. gentleman had much underrated the merits of the army and navy, particularly of the troops which had been employed in the Burmese war. No army had ever been in a situation more arduous, or one more calculated to appal brave men. Brave troops would face cannon with carelessness and alacrity; but it was a much more trying effort to encounter with resolution the attacks of disease and privation; and the extent to which the troops had to display this latter species of courage, might be estimated from one instance, in which, out of a regiment of nine hundred men, only fifty, in the course of a few months, were able to do duty. He was particularly happy at the course which the right hon. gentleman had taken, for he could not
have conscientiously voted in favour of the justice of the Burmese war, or of the government which had planned and undertaken them. He must enter his caveat against what the right hon. gentleman had said about the merits of the government, to which he could allow no credit, although he was well pleased that those who had so well done their duty in the execution of the operations assigned to them, should receive the unanimous thanks of the House. He wished to know, however, whether it was intended to move a vote of thanks to the troops at Arracan? Those troops, although not actually engaged, had suffered, with utmost bravery, under the diseases occasioned by the pestilential climate; and a question might yet arise, as to the cause of their being placed in such a situation. As these troops were separated from the Burmese army by a ridge of mountains, so high, that the two armies could have no communication with each other, the Arracan troops ought to be separately noticed. The services of the navy had been particularly meritorious and useful, for without them the land troops could not possibly have carried on their operations; and he was the more anxious to do justice to the navy, as in the account of a general military officer (major Snodgrass), high in the confidence of the commander, these services of the navy had been passed over with the most unjust silence; when, even in the despatches of general Campbell, they had been noticed with high approbation. General Campbell deserved thanks for having brought the war to a conclusion in any way; and it was certainly a very proper moderation in him, when he was, with only two thousand men, within four days’ march of a capital, where he would have found the enemy’s troops fifty to one at least, to check his army, instead of marching the troops forward where they would have found no plunder, but most probably destruction. When the right hon. gentleman talked of the invaluable services of the steam-boats, what did he think of those who planned the expedition, with a view to land troops in a country of which they knew nothing? With respect to Bhurtpore, he recollected that lord Lake had been rebuked four times before it; and he thought that lord Combermere deserved the greatest credit, since he had so far restored the character of the British army—a matter of the greatest importance in India.

Mr. Wynn said, that the officer who had commanded the Arracan troops was dead, and there was no other who could be particularly mentioned; but the thanks of the House would be conveyed to the Arracan troops, as part of the Burmese army.

Sir J. Yorkes was glad that the cause of the army and navy had been kept separate from that of the government, and he thought that captain Chad ought to be specially mentioned in the vote of thanks; as he had been one of the principal means of conducting the troops along the road to the very heart of the Burmese empire. The navy had well deserved the thanks of the House, and he was astonished how any one who knew anything of the matter could have written an account of the operations without doing them justice.

Sir John Bridges said, that professionally as well as privately acquainted as he was with the brave commander, whose heroic deeds, together with those of his gallant companions in arms, were the subject of communication to the House that night, the few words he should say upon this occasion were dictated more by an indulgence of private feeling, than by any necessity that existed of calling forth due attention (if any thing that fell from him could, in any degree, have that effect) to a just appreciation of the splendid achievement now laid before them. Happily, the feeling and generosity of England never had wanted, nor ever would want a stimulus to acknowledge distinguished services, and to reward deserved merit. In a country peculiarly obnoxious to European constitutions, the war in the Burmese empire had, by the great talents of our commanders, both by sea and land, and the value of our troops—a handful of brave warriors, opposed to legions of native soldiers, at least ten to one against them—been triumphantly terminated by a glorious victory; and still more, this victory over the enemy had been accomplished, crowned with a victory over themselves, the moral effects of which were of no mean consideration. Our gallant troops, passing through an invaded country, had everywhere, and upon every occasion, refrained from pillage, and protected the vanquished. True soldiers, they had felt and verified the maxim—“Parcere subjectis, et debellare superbos.” Such was the fruit of British discipline grafted on native courage; and which was mainly to be attributed to the admirable regulations established by the
late illustrious ever-to-be-lamented commander-in-chief. To a soldier, his best reward was his country's approbation. This army had done its duty, and it now behoved that House to do theirs; and, in doing so, he felt confident that it would mark, by a loud expression of approbation, the sense it entertained of their brilliant services, and that it would humbly recommend to the fountain of honour which was prompt to reward merit, and to the fountain of riches—the East India Company, whose territories had been not only protected but extended, and whose coffers had been filled—such acknowledgments as they should feel were justly due to that eminent commander, whose innate courage, consummate skill, and ardent devotion to the service of his king and country, were not to be surpassed; and to those valiant troops who, heroically fighting under him, had successfully brought this contest to a glorious issue, and procured peace to that part of India. He would no longer take up the time of the House, but he should consider himself guilty of a dereliction of duty, if he sat down without expressing his ardent hope, that this great victory, which was unparalleled in the annals of warfare, and would be handed down to posterity as such in the pages of history, would in justice be followed up by a grant from the East India Company of the crown of rupees paid by the king of Ava, as the price of his capital being spared, to the gallant force under the command of sir Archibald Campbell, as a remuneration for service begun, continued, and ended, with matchless glory to themselves, and endless benefit to the East India empire.

General Grosvenor said, his right hon. friend had performed a gratifying task to himself and the House, and he would add, the country at large, by his proposal of thanks to the officers and troops who had so nobly sustained the honour of our arms in the Eastern part of the globe, and who by their valour and reputation have consolidated our oriental possessions, and raised the name of the British empire to the highest pinnacle of glory. To sir Archibald Campbell and to general Cotton, and lord Combermere, too much praise could not be given; and to the officers and soldiers under their command the utmost stretch of our admiration was due to their valour and perseverance. But, though coming tardily, as the thanks seemingly did, the brilliancy of the various features of the war was not dulled on our memories, nor ever could lose its lustre in the hearts and memories of their grateful countrymen. Happy was it for this great empire to reflect that, come what may, we had a rising description of officers, educated in the best school, and under the great captain of the field of Waterloo; so that England would know how to make herself respected in every quarter of the globe; and he would say, might the illustrious warrior, who had unhappily for the army and the country, laid down his truncheon, quickly resume that station, which he was so eminently entitled to fill. Might some of our counsellors step forth, and with the honey of their lips, sweeten the unlucky differences, that accident, more than design, seemed to have given rise to. And, highly sensible must the nation be of the refined delicacy of the conveyed compliment of our gracious monarch to the illustrious duke when his majesty named no subject to succeed to the station of commander-in-chief, but executed the office in his own Royal person. The motion was agreed to, ncm. com.

Mr. Wynn, in rising to move a vote of thanks to those general officers who had so gallantly seconded the efforts of the commander-in-chief in the reduction of that important fortress, and in the accomplishment of the other objects of the government, observed, that he could have wished the hon. gentleman (Mr. Hume) had abstained on this occasion from any attacks upon the government of India. That government had, on the occasion of the late contest, done every thing which the most active and efficient government possibly could do in support of the forces employed. They had provided steam-boats; they had expended large sums upon the material of the army; and had neglected no means of contributing to the wants, or adding to the comforts, of those employed in their service. The reason why sir Archibald Campbell advanced up the country towards the capital with an army of only two thousand men was, that he conceived that number to be quite sufficient for the accomplishment of the objects in view in the then exhausted state of the army of the king of Ava. Another reason which influenced him was, that a larger number of men would have rendered it necessary for him to provide more supplies, and there-
fore very much impeded his advance. The right hon. gentleman concluded by moving, that the thanks of this House be given to majors-general sir T. Reynell, sir J. Nicolls, sir S. Wittingham, sir I. F. Adams, and the officers, both European and native, attached to the army sent against Bhurtpore. He was certain that a vote of thanks had never been passed for any individuals who deserved it more than the gallant officers he had named. Most of them had, in person, headed the different storming parties who ultimately took the fortress of Bhurtpore, with the greatest coolness and intrepidity. To ex-tol those who had fallen on that memorable day would be needless; but he need hardly say, that their merits were as great as those of the officers whose names he had mentioned.

The Resolution was agreed to nem. comm. As were also resolutions, “that the thanks of the House be given to the non-commissioned officers and privates employed against Bhurtpore, for their gallant behaviour in the taking of that place—to major-general sir Archibald Campbell, for the ability and valour displayed by him in his late operations against Ava—to brigadier-generals William M'Bean, sir W. Loughby Cotton, and Michael McCreagh, for their indefatigable exertions in the expedition against Ava—to the non-commissioned officers and privates of the army employed against Ava.”

Elections Regulation Bill.] Lord Althorp said, it would be recollected that, in the beginning of this session, he had given notice of three different motions which he intended to bring forward; one of them he had framed upon the suggestion of a noble friend of his; the other two he had some time since originated. The object of these motions, generally, was to diminish the expense of elections. In the first instance, he had moved for a Committee to inquire into the modes to be adopted for diminishing the expenses of County Elections. The House was kind enough to grant that committee, which had now been sitting for a considerable period, and, he believed, soon report. The other proposition, and which, up to this time, he had been unavoidably prevented from bringing forward in a more complete shape, was one for diminishing the expenses of all elections generally, but principally those of elections for boroughs. He did not mean to say that the bill he now intended to bring in went to more than one class of the evils which it was his object to remedy; but it seemed to him better that the House should apply themselves to the redress of those evils after this manner, one by one, and step by step; for that mode of proceeding would enable them to understand the position in which they were placed with respect to these objects. As he did not apprehend that any objection would be made to the bill he would now move for leave to bring in, he would not trouble the House with any arguments in support of it. But it might be necessary for him to explain what the grievances were to which the bill was meant to apply, and by what means those grievances were to be remedied. Hon. gentlemen were aware, that many acts of parliament had passed for the prevention of direct bribery at elections; but the effect of those acts was evaded in very many different ways. One of these methods was, by candidates employing a large number of voters in different places, and paying them for pretended services, in order to secure their votes. And, so completely was this the fact, that different prices were paid to those who gave the candidate, in whose interest they were, plumpers, from those who gave him half, or split, votes. The plumpers were paid for at a double rate, as compared with the half votes. In desiring to relieve elections from this sort of charges, he was not applying himself to the case of those who were called “election agents” only; for, to do so, would be to push the principle he was desirous of carrying into execution to a very small extent. He meant to extend it to a great number of other individuals, being voters, who were very commonly employed on such occasions, under a variety of denominations, as messengers, flagmen, runners, and musicians; musicians, by-the-bys, who had never played upon any musical instrument in the whole course of their lives. It was with a view to prevent this species of general bribery as effectually as possible, that he now called upon the House for leave to introduce the bill he spoke of. By that bill he did not propose to inflict positive penalties upon any parties. Such penalties, under such circumstances, he thought it was not desirable to create; nor was it any more his wish to punish the persons so ostensibl
Employed in such capacities, than it was to punish those who might pretend thus to employ them. But he wanted to take away the temptation from the candidate to offer such inducements to the voter, and from the voter to accept them, by rendering the vote of any elector so employed useless and invalid, at the election of the candidate employing him. He might mention many instances in which the effect of such employment was equivalent to the most direct bribery; as in cases where a candidate, pending the election, had paid the barber who shaved him one or two guineas for his trouble, the barber being one of his constituents. The means by which he proposed to prevent these practices for the future, were—


to enact, that any person so employed, or paid, by a candidate, or others in his behalf (adopting, in this respect, the very words of the act against bribery), should not be allowed to vote at the election of the candidate, by, or for whom, he may have been, at such times, employed. From the nature of this proposition, it would be seen, that he did not wish to disfranchise the parties. But its effect would be, not to prevent candidates from employing any description of persons whose services, in their respective capacities, might be really of use to them; but, to prevent them from availing themselves of their purchased votes, under the mere pretence of employing them. In conclusion, he moved for leave "to bring in a Bill to prevent corrupt practices at Elections of Members to serve in Parliament, and for diminishing the expense of such Elections."

Mr. Wynn observed, that the case mentioned by the noble lord, of the pretended musician-voters, as well as that of the person so exorbitantly paid for shaving the candidate's chin, came clearly within the rule and scope of the old Bribery acts. Still, there were so many considerations attaching to this subject, which might be gone into with advantage, on the introduction of the bill proposed, that he would certainly support the motion.

Sir C. Burrcll hoped, that the operation of the bill was not meant to exclude all persons employed and paid by candidates for their services at elections. It would be hard, indeed, if its effect should be to disfranchise so generally respectable a body of men, for instance, as election agents: whose services were usually very valuable to the candidate, and many other meritorious persons, whose exertions might be perfectly unimpeachable, though paid for.

Mr. Brougham felt himself under obligation to his noble friend, for this endeavour to put a stop to the great, and, as his late election experience proved beyond all doubt, the growing evil of election expenses. Well, however, as he wished the measure, if he thought it was fairly open to those objections which had been stated to it by an hon. baronet, or that it would at all abridge the elective franchise, he should be the last man to support it. But he could not regard it in the same light as the hon. baronet viewed it. If he was to rule, that any person exercising any certain trade, profession, or employment, was not to be allowed to vote at any election, which certain trade or occupation such person used generally, habitually, and independently of the election, and that such person might have voted if he had not been so employed, that would be undoubtedly a disfranchisement. But what his noble friend's bill said was this—to the barber, suppose, who had been alluded to—"if you exercise the trade of a barber generally, habitually, and independently of this election, such employment shall be no bar to your voting; but if, on the morning of the election, you shall shave the candidate's chin, and receive fifty guineas for it, then do I hold you guilty, not of shaving, but of bribery." But, bad and imperfect as the present law was, it did not, in his opinion, require a declaratory clause to explain that such a case as this came within its operation. Nor did he believe, notwithstanding all that he had seen and heard of committees lately—and he had heard accounts of these committees which he should have had great difficulty in believing, if he had not had them from undoubted authority—that any committee appointed under the Grenville act, could entertain a doubt as to such cases. It was very true, therefore, that the law as to such cases was sufficiently explicit; but others had been stated by his noble friend, in principle the same, though perhaps not so obviously so; and, as it might be doubtful whether they were reachable by the present law, it was, at the least, safer to adopt this more comprehensive bill, by which all persons employed at elections, such as musicians, bearers of flags, and all persons who filled such like important and responsi-
sible offices, and whose services every one knew were overpaid, should be disqualified from voting at that election. Every gentleman knew the heavy expenses which candidates were subjected to, in paying agents, not only for their professional assistance, but by way of enlisting in their cause the electioneering influence of those persons, and of securing their votes. He had no objection to candidates employing such agents at elections: they might give them ten guineas a-day if they were foolish enough to do so, but let it be to them as canvassers, and much good might their services do these gentlemen; but let them not, under such a colour, buy up an elector's vote. By law, and by the spirit of the constitution, every elector ought to tender his vote for the candidate whom he thought the most fit to represent the particular county or borough in parliament; but, in consequence of this influence, he tendered it as the hired and paid agent of the candidate. Could it, then, be called disfranchisement, when agents were told, that, because of the retainer which they had received from any particular candidate, they were placed under a temporary restraint as to voting? For they were supposed to be incapable of disinterestedly discharging the duty of a judge—as an elector ought to be—of the merits of the party soliciting their suffrages. For these reasons he wished success to this measure; but he wished it had been carried further. His noble friend had addressed his attention to the defects of the law, as it affected the proceedings in elections out of doors; but he would recommend his noble friend to extend his measure to that acknowledged evil—the growing misdirection of Election Committees in that House. He had heard so much of the abuses to which he had referred, that he was greatly disposed to move for the minutes of some of the committees which had sat on the late elections. This was the first occasion that had presented itself for the expression of his sentiments on those crying outrages, not only on all legal principles, and on all justice, but on all common honesty and common sense, which he had heard of with astonishment, and at first with great incredulity. He alluded to the conduct of the committees up stairs. One suggestion he would throw out for the amendment of the Election laws. According to the present practice, two nominees were appointed; wherein, he thought, lay much of the evil. One committee, thus constituted, had recently decided in this way:—they would not allow that A had treated B, though it was offered to be proved that A had given a commission to another to bribe B. There were other instances equally scandalous: and sure he was, it was high time to revise this constitutional tribunal for trying contested elections. One case he would also mention, in which a committee had decided, that one borough could not have another borough contained within it, because there was a right of common over it. There were no two lawyers in Westminster-hall who would have hesitated one moment in coming to a decision; but which the committee did not, until after they had entailed grievous expenses on the parties, and after seven or eight days discussion. He wished success to every measure which tended to purify elections of the enormous expense attending them; both as regarded candidates at the poll, and those whose election was questioned after their return. This could be accomplished only by a tribunal in the nature of a court of justice. He was a moderate reformer—one of those who, on account of their moderation, had been called mock reformers. His object was practical reform; and, so cautious was he in the advances he made, that he would not lift one foot from the ground, until he found that the other was firmly planted. He knew that in advancing, he had to walk beside a precipice; and, therefore, he would move with care along the devious path. When daylight broke upon him, he might proceed more boldly; but he found himself, at the beginning of his journey, surrounded with darkness and danger. He might again be charged with being a mock reformer; but he would adhere to these principles, and support his noble friend in his partial and moderate, but at the same time, real, substantial, and useful, reform of the law of election. There were two measures which he should like to have ingrafted on this bill. One was the abolition of the nominees. These appointments were, in every case, a deep mockery of justice, and serious injury to the parties, and he might add, to the nominees themselves—for no situation could be more painful, perplexing, and anomalous than theirs. They were sworn to do justice equally, yet called at the will of the parties to be their representatives. On
the one hand, they were bound by their oath to act impartially; on the other, they were under the not less solemn obligation of honour to maintain and defend the interests of their friends. The consequence was, that the nominees always went into the committee greatly to their own discontent, if they were conscientious persons; and greatly to that of the opposite party, if they were of a different character. On one side, they were perhaps charged with not having done enough for their friend; and on the other, they were accused of having violated their duty, which was, to judge with perfect impartiality between the parties. He recommended that, instead of appointing these nominees, both parties should unite in naming a chairman to the committee, who would act as referee on all disputed points. By this course, most probably, an experienced, steady, and just man, would be appointed chairman, and the same justice would be done in these cases as between parties who submitted to the award of an arbitrator. A change also, he thought, should take place in striking the list of the committee. Instead of taking, in the first instance, forty-eight names to be reduced by the parties to thirteen, he would rather they should take the first twelve that were drawn, without any striking at all; or they might draw out eighteen, and strike out only two or three each; as, by possibility, a relative or friend having the same interest might be among the original number. Even if one objectionable name remained, after the peremptory challenge, it would, upon the whole, be better than pursuing the practice which was expressively termed striking out the brains of the committee. Under the existing system, the parties sought for a chance of honesty, by abandoning all chance of ability. The hon. and learned gentleman concluded with repeating his conviction, that the expenses of elections ought to be reduced to the lowest practicable amount.

Mr. Spring Rice recommended the insertion of a clause, to declare giving cockades and ribbons an act of bribery. These favours, as they were called, formed a large item in the candidates expenses, and answered no other purpose than that of giving greater vigour to the display of party opposition. The practice had been proscribed by the law of Ireland since 1796, and it would be a commendable alteration in the election law of this country.

Lord Althorp, in reply, said, he had no objection to introduce any clauses which would lessen the expenses of elections; but he was afraid of hazarding the success of the bill itself, by tacking upon it suggestions which might not be generally approved of.

Mr. Wynn said, he had, in the early part of the session, given notice of a bill for next session, which would consolidate all the election law. That bill was postponed, only because he wished to let the committees dispose of the cases arising out of the general election; as by these results many useful hints might be furnished. He was willing either to go on with the bill, if such was the pleasure of the House, or to hand it over to his hon. and learned friend. If he was to give an opinion, he should say that this question would be better discussed by being treated extensively, than by piecemeal.

Mr. Alderman Wood said, he had been present at almost every ballot that had taken place this session, yet he had not been elected a nominee upon any committee, with the exception of one; and that he had not known the gentleman who had asked him to be his nominee upon that occasion. However, he had succeeded in securing that gentleman's return to parliament. He approved of retaining nominees, as without them he did not think the interests of petitioning parties would be protected.

Mr. H. Twiss said, that as committees were at present constituted, they acted like juries, without the superintendence of judicial authority; and perhaps such an authority could not be introduced without introducing also a power that might interfere with the power of that House, which would, perhaps, be productive of greater inconvenience than even the present system. He thought that considerable improvement would be effected, by establishing some mode of determining the validity of questionable votes on the spot on which they were taken, and not of having recourse to the scrutiny before the committee, as at present, where much greater difficulty lay in the way of duly ascertaining and determining them.

Leave was given to bring in the bill.

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The hon. gentleman, after stating various instances of gross bribery and corruption practised in this borough on former occasions, adverted to the year 1819, when a committee was appointed to take into consideration the state of the elective franchise in that borough. The committee framed certain resolutions on the evidence which was then before them; and he meant to found the motion with which he intended to conclude on those resolutions.—The hon. gentleman then went into a minute detail of the circumstances attending the late election in the borough of Penryn. On the Monday preceding the election, so careful were the candidates to disclaim any notion of using any other than constitutional means to forward their respective interests, that they actually procured the town-crier to proclaim in the market-place, that the practice previously resorted to of making the electors “comfortable” would, on that occasion, be discontinued [a laugh]. On Monday and Tuesday the voters were very tardy in coming in to vote; but means having been taken to make them “comfortable,” they came forward on Wednesday in great numbers. The hon. member then referred to the evidence taken before the committee appointed to try the late election, which furnished, he said, the most incontestable proof of the grossest bribery and corruption. Having sat on several election committees, and having once presided at a committee appointed to inquire into the abuses practised in this borough, and signed a report, stating that the charges of corruption and bribery were fully proved, he should ill-discharge the duty which he owed to the House and the country, if he did not endeavour to do justice to the respectable portion of the Penryn electors. There could be no doubt of the necessity of interfering to put a check to these disgraceful practices with respect to the borough of Penryn. It was impossible not to come to such a conclusion, if the House would pay proper attention to the evidence taken before the committee appointed to try the last election, from parts of which he had just extracts.—He should now state the mildest plan which he could suggest to remedy so great an evil. He proposed to limit the right of voting in the borough of Penryn to the actual possessors of land within the borough; and then he proposed, that the elective franchise should be extended to the two hundreds in the immediate neigh-

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it his duty to adopt this course, and having taken the subject up in the discharge of his public duty, he would not be easily driven from it. He would propose what appeared to him to be an effectual remedy; but if the House, acting on the suggestion of the noble lord, should agree to transfer the elective franchise to some large town, he of course would submit, but the consequence must rest with those who supported that view of the case. The hon. member concluded by moving—1. "That it appears to this House, that the most notorious bribery and corruption were practised at the last election of members to serve in parliament for the borough of Penryn, and that such practices were not new or casual in that borough, the attention of the House having been called to similar practices in the year 1807 and in the year 1819.—2. That the said bribery and corruption deserved the most serious consideration of parliament.—3. That leave be given to bring in a bill for the more effectual prevention of bribery and corruption in that borough; and 4. That the Attorney-general be directed to prosecute John Stanbury, and others, against whom cases of bribery had been made out."

Sir C. Barrell rose to second the resolutions. The House, he observed, was bound, when a clear case of bribery was made out, to take the most effectual method for its prevention in the future. In the present instance, a case had, he conceived, been made out, on which the House were bound to act. This was their duty in the first instance. The second question; namely, to whom the franchise should be transferred or extended, was not of so much importance. He did not see any objection to the plan of his hon. friend in this respect; for it would have the effect of preventing future attempts at bribery, by extending the franchise amongst one thousand five hundred or two thousand electors. But though this was not objectionable in itself, still he thought it a comparatively better mode to give the franchise to some large town which was not at present represented. They had seen the inconvenience of transferring the elective franchise to a large county such as York. At the last election, one gentleman, who was decidedly a favourite with the people, withdrew himself from the canvass, because a contest would have the effect of ruining his fortune; and, on one occasion, it had cost the returned candidates 100,000l. each. This transfer, then, was of no advantage to the county. It did not enable them to have a man whom they would choose; for it could be contested only by men of large capital, without reference to whether they were men of large or small capacity. He did not mean to find any fault, in this respect, with the present members for that county; but the fact was, that the system gave the preponderance in elections to men of large capital, without any reference whatever to their talent or fitness for the situation.

Mr. David Barclay said, that as this was the first time he had had the honour of addressing that House, he claimed their indulgence while he offered a few remarks on the motion before them. In the outset he would observe, that he was not opposed to the principle of the House interfering to punish cases of bribery, where they were satisfactorily made out; but he could not assent to the sweeping proposition, that because bribery had been established in the case of the few, its punishment should be extended to the many. An hon. member had stated, that one candidate had withdrawn at the last election for Penryn, being unwilling to sanction the practices of bribery and corruption, by which only success could be ensured; and the inference sought to be drawn from that was, that the two candidates who were returned had sanctioned those practices. For himself, as one of those members, he must beg most positively to deny the justice of such inference. He had canvassed and been returned; but he declared most solemnly—and he hoped the House would give credit to the declaration—that he had not directly or indirectly given any bribe, or held out any promise of a bribe at any future period. The grounds on which Mr. Grenfell had retired from the contest were, that he had lost the confidence of the independent electors of the borough, and had ceased to be popular amongst them. It was, therefore, unfair to assume bribery on the part of the other candidates from the fact that one had retired. He trusted, then, that on such grounds the House would not consent to deprive five hundred electors of those rights which their ancestors had held for centuries. Such a course was called for, or justifiable only in cases of notorious corruption, which did not exist in the instance before the House. The charges brought by the hon. member were, he contended, too general.
Jalleged, had a great number of electors who, it was alleged, had disgraced themselves by a bribe. This sum of 1,300l. rested on the evidence of a man named Pitt, who, in the course of his examination, admitted that he himself had been guilty of the grossest profaneness, and to so great an extent, that the general opinion of the committee was, that there was no foundation whatever for the charge of the division of 1,300l. among the electors. Then as to the sum of 275l., it rested on no better authority; as there were only respectable individuals who were ready to prove, that the parties who spoke to that circumstance were perjured. But suppose that could not be done, and that the fact of the 275l. could not be denied, what did it prove against the great mass of the electors? Was it shown how it was divided, or that it went amongst the whole, or only amongst a few? Nothing of this kind was attempted to be shown. The sum of 275l. would, at 10l. a-head, afford a bribe to twenty-seven electors and a half; and now, admitting for an instant, for the sake of the argument, that that number of persons had been bribed, was that a fair cause for disfranchising five hundred electors?—Let the House look at the cases in which parliament had, on former occasions proceeded to disfranchise boroughs, and they would see that, in the last four, and most important, instances, there was not one in which the circumstances bore any analogy to those of Penryn. The cases of Aylesbury, Cricklade, Shoreham, and Grampound, were all of them cases of gross bribery. In the Aylesbury case it was proved, that the electors met the candidates; that there was a bowl of punch at one end of the table and a bowl of guineas at the other, and the electors received their punch and their gold at the same time. Of the three hundred electors in the borough it was proved that two hundred had been thus bribed. In the borough of Cricklade, it was proved that more than half the electors had been bribed. The case of Shoreham was still stronger. There a society was formed called the “Christian Society,” to which electors only were admitted. It was assembled by the hoisting of a flag. When they met, their proceedings were secret.

Each man was sworn to secrecy, and entered into a bond of 500l. to preserve the laws of the Society. The affairs of the electors were managed by a committee, which was authorized to make the best bargain they could with the candidates. Here was a case where the disfranchisement of the borough was called for; but was there, he would ask, any analogy between the case of Penryn and this or any of the others he had mentioned? But for such practices, corrupt as they were, Shoreham was not disfranchised. The only change was, the extension of the franchise to the inhabitants of the rape of Bramber. In the case of Grampound, forty-seven, out of sixty or seventy electors were proved to have been bribed. Some of them took bribes of 30l., some of 23l.; one of 140l.; and the mayors got 300l. Besides this, a paper was produced to the committee, which was a kind of bill of parcels of the borough. In that bill, the members were debited for 8,400l., the price of the two seats, and credit given them for half that sum which had been received. For this, Grampound was disfranchised; but had he had the honour of a seat in parliament on that occasion, he would have objected to the disfranchisement, though he would not have opposed the extension of the franchise to the neighbouring boroughs. The House ought to be cautious how they interfered to remove the franchise from independent boroughs [hear, and a laugh.] By independent boroughs he meant those in which noblemen and gentlemen did not actually appoint the members; which was well known to be the fact in several instances [hear, hear.] In defending a place so notorious as Penryn, he wished to state his own opinions, lest it should be thought that he was the advocate of the practices which were said to exist. He hoped the House would give him credit for what he had said—that he was perfectly innocent of any attempt at bribery. If he had been guilty, why was he not included in the petition? The borough of Penryn, which he had the honour to represent, was particularly unfortunate. It had fallen more than once under the notice of the House; and by this misfortune had acquired a notoriety which it would be impossible for him to dissipate by any thing that he could offer. But, he must say, that there were many boroughs more corrupt than Penryn. If, however, the hon. mover was to be-
believed, it was one mass of corruption, and like the city mentioned in sacred history, ten good men could not be found in it. There were, however, in that borough, men as honourable, and as much opposed to bribery, as any which could be found in any borough in England. There were a most respectable resident magistracy, as incapable of receiving bribes as any member of that House. The superior classes consisted of officers of the navy, who were above taking any pecuniary bribes; and, if the representation were in the opposition, it was obvious that he could not influence them by the government patronage. To these were joined many retired merchants, of wealth and respectability. The second class consisted of a rank of shopkeepers who would think it an insult to offer them a bribe. There was another class of persons in the borough, who were very numerous. He alluded to the labouring poor. This was the class upon which those who wished to corrupt could practise their contrivances. But, why should the House vent their indignation, or confine their punishment, to the poor, who accepted the offers of rich candidates or members? For his part, he thought the corruptors by far more to be reprehended than those whom they corrupted. They were by far more deeply imbued in guilt—they had less to plead in excuse—their offence was of more fatal consequences to the country; and yet they revelled in impunity, and triumphed in their practices. Of the lower classes, many were in a state of great poverty. Irresistible temptations were offered to them; and was it to be wondered at that some had fallen? Although he acknowledged this fact, he maintained, that those who had accepted bribes were not in such a proportion to the general body of the electors, as to justify the House in depriving the whole borough of its privileges. Even in the lower classes, to which he immediately alluded, there were examples of integrity, of fidelity to promises, and of public principle, which did honour to human nature. Large sums had been offered to a poor shipwright for the vote which he had promised to another candidate. This man had answered, "You may chop my head off upon that block, but I will never forfeit my word." He must say, then, that the electors of Penryn had been grossly calumniated in the speech which had been addressed to the House that evening. He was convinced that those electors were not less virtuous than the electors of other boroughs in different parts of the country. He had sat on one election committee—the East Retford—and that committee was made sensible of the fact, that corruption existed there to a very great extent. It appeared from the evidence, that the practice of receiving bribes in that borough was notorious. Therefore, he contended, that the borough of East Retford was a thousand times more deserving of the interference of the House, than that which he had the honour to represent. It seemed to him, that no case whatever had been made out, which called on the House to disfranchise the borough of Penryn; and therefore the proposition of the hon. member for Leicester could not, with justice, be carried into effect. The intention of a noble lord (J. Russell), and of which he had given notice some time ago, was not only to recommend the disfranchisement of Penryn, as was proposed by the hon. member for Leicester, but to transfer the elective franchise to some large town in the north of England. This experiment had already been tried with respect to one large district, and the effect had been any thing but advantageous. He did not mean to touch on the delicate subject of parliamentary reform; but he certainly would view, with great jealousy, the interference of that House with the privileges of those boroughs which were open, or independent. He alluded to boroughs where the people voted as they pleased, and were not under the influence of the aristocracy. Of the six hundred and fifty eight members of which that House was composed, only one hundred and seventy-one were returned for boroughs by the people; and the House ought to be extremely cautious in transferring to other places, the privileges of any part of that body by whom those one hundred and seventy-one members were now elected. At all events, he hoped the House would not be induced to follow the plan of the noble lord to transfer the right of voting altogether, from Penryn to some distant part of the country. This was due to his constituents, who were not that profligate and corrupt body of men they had been represented to be. Most of them were individuals of very great respectability; and if any corruption prevailed, it must be amongst a very small number of persons, of the lowest and most miserable description.
Lord Midlo confessed, that the proposition which the hon. member for Leicester had made to the House, involved a question of considerable difficulty. The hon. gentleman who had just concluded had made out a very considerable case, in answer to that which was brought against the Borough. At the same time, he would not say that the charges against Penryn did not deserve a further investigation. Perhaps, the best mode of investigation might be in the committee upon the bill moved by the hon. member for Leicestershire. He, however, was inclined to vote for proceedings at the bar of the House. With reference to the question of Parliamentary reform, it did appear to him, that one of the most valuable parts of the constitution of that House was, the great variety of persons who were intrusted with the elective franchise. In any bills for the disfranchisement of boroughs, great attention ought to be paid, not to disturb the balance which had hitherto existed between the different classes of constituents. Half a century ago, the case of Shoreham had been brought under the consideration of parliament; and at that time, when reforms were new, nothing was more natural, nothing more easy, than to extend the elective franchise to freeholders in the vicinity. What had been done in the cases of Shoreham, Cricklade, and Aylesbury, might not go far to disturb the balance which he wished to see maintained in the representation. But if, in every instance that occurred, the House was to follow the same plan, it would make a great inroad into that relation of the different classes of representatives that had been established. In this point, he entirely agreed with the hon. member who had last spoken. In all reforms, it was necessary not to transfer any portion of the elective franchise from the middle to the higher classes. It was also necessary not to destroy the proportion between the commercial and the landed electors. If, ultimately, a sufficient case were made out against Penryn, he would vote for the measure proposed by the hon. member for Leicestershire; nevertheless, of all plans for the improvement of the representation, it was almost the last he should wish to follow. He had before objected, and he still objected, to giving to the county of York the forfeited franchise of Grampound; because he did not think it right that that county should exclusively possess a double claim to re-

presentation beyond the other counties. If he rightly understood the hon. member for Leicestershire, his object was to deprive the inhabitants of Penryn, who paid scot and lot, of their elective franchise, and to extend it to the two neighbouring hundreds. Now, if it was at all desirable to increase the basis of representation in that House, he thought that no worse course than that at present proposed could be adopted; indeed, he thought it would have precisely the contrary effect. The course now proposed to be adopted would disfranchise Penryn, and extend to certain other parties a right of voting, in addition to that which they already possessed as county electors. Of all the reforms of which he had ever heard, this appeared to him to be the worst. If they should determine to deprive Penryn of the elective franchise, were there not, he asked, other and better modes of transferring it? If they should decide to disfranchise that borough, what, he would ask, had the two adjoining hundreds to do with it; or what claim had they any more than Manchester or Birmingham, or any other great town? The noble lord, after alluding to what had taken place with respect to the borough of Helstone, which had been disfranchised because of corrupt practices, went on to state, that, in his view of the question, the right of voting, if taken from Penryn, ought to be vested in some large bodies of men to be found in that district. This, he said, upon the ground of the old rights and acts of the constitution, to which he wished as far as possible to adhere. If it should be found that corruption had been so general as to render it impossible to follow this course, then he hoped the elective franchise would be transferred to some large, wealthy, and populous, place, not at present represented.

Mr. Alderman Wathman said, he felt the same objection as the noble lord to giving additional votes to men who already enjoyed the elective franchise, while large bodies of men were without that privilege. When the corruption in the borough of Grampound was proved, he had thought that the right of election should be transferred to Leeds, Manchester, or Birmingham, rather than to the county of York. In conformity with that feeling, he hoped that on the present occasion, the elective franchise would not be transferred to places which now possessed that privilege, but to places situated like those to which he had
alluded. He begged leave to ask, whether
this was not a fit and proper time for
making an experiment of this nature? He
knew not how they could ascertain the
manner in which such a plan was likely to
operate, unless the experiment were fairly
tried. It had been said, that corruption
would flourish in those great towns. He,
however, was of a contrary opinion. All
experience proved, that corruption flourish-
ed most in those little boroughs. Some
hon. members asked for proofs, when it was
well known that boroughs had their books
and their agents, and that the price of ad-
mission to any candidate, no matter whom,
was regulated by circumstances. If the
number of voters were few, then the price
was high; if the number of voters were
many, then the price was low. There
were the regular accounts of the buyers and
the sellers in the market; and the bargains
were made in the usual way of business.
The thing was notorious. He himself
knew a borough-agent, who often had
fifteen or twenty candidates for boroughs,
or their agents, at his table. There was
one person in the city, who must be well
known to the leading members of that
House—he meant Mr. Oldfield—who fre-
cently entertained more than twenty
attorneys, each of whom introduced some
stranger for the representation of a borough
in Cornwall. The prices varied from
3,900l. to 5,000l. for a seat; and even the
price of a seat for a session was regularly
fixed. During the war the price of a seat
was from 4,000l. to 5,000l.; but, since
the peace, that price had rather declined.
It was rather an extraordinary thing, when
it was known that money was given, that
nobody could be pointed out as the person
who gave it. This reminded him of a cir-
cumstance which had not very long since
occurred. A general officer had been
robbed, and after a little time the robber
was taken up, tried, and convicted. He
was asked, if he had committed the robbery?
he replied that he had: he was asked if
he had any accomplices, he said he had;
he was asked to name them, but he
deprecated, and said to his former master,
"Sir, you are a man of honour, and would
scorn to betray a friend. I, too, am a man
of honour; and if my life could be saved
by the disclosure you wish me to make, I
should still persist in refusing to make it."
Now, this was precisely the case with
respect to the borough-agents and borough-
dealers: they managed their business upon
"honourable" principles, and often left to
a future day the payment of the account.
This corruption was always found to exist
in small boroughs. For himself, he was
sent to that House by four thousand five
hundred electors of the city of London,
without one single farthing expense, and
he had even received from those who re-
turned him a sum of two shilling, to pay
his expenses upon taking the oaths and his
seat. He mentioned this fact with a view
to show, that the greater the number of
electors, the greater was likely to be the
purity of election. He thought that, if the
elective franchise was to be taken from a
borough because of corruption, it ought to
be extended to large trading and commer-
cial towns, instead of being given to coun-
ties already represented. It had been
said, in that House, as well as in other
quarters, that the lower orders had no dis-
crimination—that they possessed not in-
terest; for himself he would say, that they
possessed interest and discrimination
enough to guide them in the choice of men
of honour and independent spirit to re-
present them in parliament. He would
rather allow things to remain as they were,
than adopt the course proposed by the
hon. member. He thought the elective
franchise ought, in this instance, to be
extended either to Manchester, Leeds, or
Birmingham; and, if no other hon. member
rose for the purpose, he should propose that
it be extended to Manchester.
Lord John Russell said, it was not his
intention to trouble the House at any
length in expressing his opinions upon the
question under discussion. He agreed
almost entirely with his noble friend upon
the subject. But he felt, after the reports
of 1807, 1819, and of last year, to which
he would add the present report, that there
was sufficient evidence upon which to
bring in the bill proposed by the hon.
member; and when that bill went into a
committee it would be proper to inquire
whether the electors of Penryn had been
partially or essentially corrupt, and to de-
cide upon the necessary steps to be taken
for the prevention or punishment of such
practices. An hon. member (Mr. D.
Barclay) had distinctly stated, that he had
not, by himself, or his agents, offered a
bribe in the borough. That hon. member
should recollect, that the charge was not
against him, but against the other member
(Mr. Manning), who had not thought
proper to favour the House with a single
observation upon the subject. As far as his own opinions were concerned, he con-

fessed that he should like to reject the remedy proposed, and at once transfer the elective franchise to Manchester. He had made inquiries in Manchester upon this subject, and he found that the inhabitants concurred in a general wish to send representa-
tives to parliament. Notwithstanding this opinion, however, he was anxious that the hon. member should bring in his bill; and, if an alteration was found ne-

cessary, to give an instruction to the com-
mitee to that effect. He would just refer to the Grampound case. The transfer of the elective franchise, in that case, to York was at the instance of lord Liverpool. When the bill was introduced into this House, it was proposed to transfer it not to York, but to Leeds; and it might be remembered that on a proposal to give it to York, the motion was rejected by a majority of one hundred and twenty-six to sixty, after an able speech of a noble friend of his, who now filled the post of Secretary of State for Foreign Affairs. The hon. member proposed to transfer the right of voting from the electors of Penryn in this manner—of four-hundred or five-
hundred electors, he left only eighty; but he had no evidence to show that those eighty were pure men, and that all the three hundred or four hundred were cor-
rupt. The hon. member assumed this arbitrarily. With respect to the plan of the hon. member, if no great trading place could be found in the country which was not represented, it might be very proper to give to Penryn the double elective franchise proposed; but this was not the fact. Since the year 1770, great towns had sprung up, and presented the means of a remedy for the evil.

Mr. Manning said, that after the per-

sonal allusion which had been made to him, he could not avoid throwing himself upon the indulgence of the House, while he said a few words in defence of his conduct. He might, and, probably, should have re-

mained silent, but for the observations of the noble lord. He could assure that noble lord and the House, that his silence had not proceeded from any desire to keep from the knowledge of the House any of the circumstances of the transaction. His hon. colleague, who had already spoken, had declared that he had, neither by himself nor his agents, been guilty of bribery to the electors. He also could make exactly the same statement. He should hardly have thought that state-
ment necessary, after the Resolutions which the committee upon the Penryn election had passed. He begged now to refer the House to one of those resolutions, in which the committee had declared, that it did not appear to them that Mr. Man-
nning had been at all concerned in such bribery and corruption. With such a testimony in his favour, it was impossible for him to sit still after the personal allu-

sion which had been made to him by the noble lord. He begged now to say a word or two upon the subject itself. He was opposed to the proposition for dis-
franchising the borough, and bore testi-
mony to the high character which some of the electors maintained. There were, perhaps, five or six hundred voters, and many of them were persons who had re-
tired from the army and navy, and who were above the charge of being bribed. He thought the evidence on which the present proposition was founded was very unsatisfactory; and that no ulterior measure ought to be adopted upon it. As a proof of it, he referred to the evidence of the cook-maid, who had been examined upon the question of bribery, and who, though one of the witnesses upon whose testimony the charge was supported, had not been able to say whether the bribe was paid in notes or in sovereigns, or what was its amount. Upon such evidence as that, he thought the House could place very little, if any, reliance.

Colonel Davies said, that he was happy to have heard from the hon. member, the decision of the committee, as he had him-

self the greatest respect for that hon.

member. Still, however, he could not avoid believing, that though that hon. member might be free from the imputation of having offered bribes, yet that the place itself was the most corrupt that could be imagined. He should support the transfer of the franchise from Penryn to Manchester; but he trusted that when the transfer was made, care would be taken to put it into good hands there. He believed that corruption existed in all places, popu-
lous or not; and that the only difference was, that in a close borough the voter re-
ceived twenty guineas and kept his word, while in a more populous place, where the franchise was further extended, he received a smaller sum from each of the candidates, and deceived them all in turn.
Mr. Wynn thought, that the case of the Penryn election particularly required further investigation, before any decisive steps were taken upon the matter. He was not satisfied with the course which it was proposed to adopt. He had no doubt that there had been gross and notorious corruption in the borough; but to what extent that corruption existed it was impossible to say. He could not determine, upon the evidence already before the House, whether that corruption affected so large a portion of the voters, as to justify the remedy of disfranchisement. If it should ultimately appear, that a large and material part of the voters had not participated in the corruption, it would be grossly unjust to disfranchise the innocent majority, for the act of the guilty minority. But if, on the other hand, the corruption had been universal, or that a very large proportion of the voters had participated in it, he must say that disfranchisement was the best and most fitting punishment that could follow their offences. At all events, let the questions he had now stated be decided as they might, he was opposed to granting the motion of the hon. member for Leicestershire upon the evidence now before the House. If the borough of Penryn should ultimately be disfranchised, he did not see any strong objection to transferring it to Manchester; but, he thought that, perhaps, the best course would be to let those who were not convicted of having participated in the corruption of the borough retain the votes they now possessed. At present, he did not think the evidence before the House would justify them in disfranchising the borough; and he thought the best mode of ascertaining who were the persons that had been guilty, would be for the House to direct the Attorney-general to prosecute those who now appeared to be inculpated, pending any inquiry the House might think fit to institute, with a view to any ulterior measures. The right hon. gentleman concluded with expressing his wish for further information upon the subject.

Lord Stanley said, he was in favour of the transfer of the elective franchise from Penryn to Manchester, and was happy to find that the proposal to give representatives to that large and important town was well received by the inhabitants. He read a letter he had lately received from Manchester upon this subject, in which the most respectable inhabitants of that place were stated to be in favour of the measure; and the only question they seemed to be anxious upon was, as to the qualifications of the voters. They were particularly desirous of obtaining representatives for the town, and they asked from his lordship further information upon the subject; as they heard that Mr. Legh-Keck intended to move that the elective franchise should be transferred from the hundred of Penryn. He certainly must say, that he did not think the report now on the table was sufficient to warrant the proposed proceeding; although he could not say, that, after what had occurred on previous occasions, it was possible to believe that the great majority of the inhabitants of Penryn were pure. The present proposition seemed merely to be, to take the elective franchise from those who were acknowledged to be guilty, and to leave it still in the possession of those who might be guilty, but who had the opportunity of voting, perhaps, in more places than one, for the election of members. He had no hesitation in saying, that he fully concurred in the recommendation of the right hon. gentleman, that a prosecution should be instituted by the Attorney-general against some of the voters, for bribery and corruption. He wished that, in this instance, the House should follow the course which they had adopted in the case of the Grampus election, where the House had first decided that the borough should be disfranchised, before they entered into the discussion to which place that franchise should be transferred.

Mr. Canning said, he wished to offer a few words upon this subject, and to state the reasons upon which he was prepared to accede to the motion for leave to bring in a bill to prevent corruption in the borough of Penryn. The noble lord who had just spoken was mistaken, if he supposed the object of the bill was to transfer the franchise to another place; for, according to the words of it, it was merely to prevent bribery and corruption at Penryn. That was the point to be judged. He was of opinion, that enough appeared on the face of the report now before the House, to justify the resolutions which had been proposed. But, though he went thus far, he could not say that enough had appeared to justify the House in taking any ulterior measures. He thought that the hon. members for the borough ought to be allowed, before any final decision was taken, to show that they had not
been engaged in the work of bribery and corruption, or that it was not so general as it was now supposed. He thought the House ought not only to have the report which was now before them, but ought to be supplied with other information, before they proceeded further; and he certainly should require additional information, before he formed any decisive opinion on the subject. Without now expressing any opinion as to the propriety of the transfer of the franchise, he should observe, that he thought it improper at present to mix up, in this stage of the discussion, any dispute as to the place to which the franchise should be transferred, and still less as to the terms on which that transfer should be made. It was their duty now to judge whether bribery and corruption had taken place at the borough, and it was impossible that men should go as they ought to the judgment of a criminal, when they had already cast lots for his clothes. In like manner, he thought the House could hardly go properly to the question, whether the borough should be disfranchised, when they had already determined to what town its franchise should be transferred. The question now was, whether there was at present sufficient to justify the House in admitting the bill. To the introduction of the bill he gave his hearty consent; but he thought he ought to reserve his opinion on any ulterior question for the further progress of the discussion. He was of opinion, that further investigation was necessary, and he thought some measure ought to be adopted; although he was not favourable to that sweeping and overwhelming reform, which was to cure the great faults of the House, while it passed by, with closed eyes, the minor defects of the present system.

Lord Althorp observed upon the difficulties of proving corruption in the agents, so as to affect the candidates. When the House went into evidence upon this subject, he was certain that a system of great and gross corruption would be proved. He was not inclined to charge the hon. member for Penryn with having been guilty of the bribery; but, though he felt that doubt with regard to the hon. member, he was convinced that such corruption did take place, and that, if it was not practiced by the candidates themselves, it was by their imprudent friends and agents, or, at least, by those who acted on their behalf. He had no doubt the existence of the corruption, in this instance would be proved to the satisfaction of every body, if further evidence was gone into.

Mr. Brougham thought, that a *prima facie* case had been fully made out for the House to proceed upon; but he did not think that enough had been shown, as yet, to justify a disfranchisement of the borough. As for the nature of the transfer of the elective franchise—if it turned out to be necessary that any transfer should be made—that was a point upon which, he apprehended, there could not be a moment's doubt. The only proper transfer would be, not to Penryn in part, and to the hundreds adjoining in part, which would be giving part of the franchise back to the very people who had abused it, and the rest to another set of people who held their right of voting, which they had already, by the most objectionable tenure in the country, but to some one of those large and populous towns, which, by their wealth and importance, were entitled to a more distinct and particular representation than they at present possessed; and he had no hesitation in saying, that he thought the fittest course that could be taken would be to transfer it to Manchester. He agreed, that in that which appeared to be proved against the borough of Penryn, there was nothing which affected the hon. Bank director. He agreed, that that hon. member was not to be fixed with the conduct of those persons who had acted on his behalf and for his interest. But he confessed, that he had heard with some suspicion the statement of the hon. member's colleague, that neither directly or indirectly had he taken any part in, or known of, or suspected—and this, too, he spoke without the slightest mental reservation—any of the measures which had been taken in the borough of Penryn on his behalf. Now he (Mr. Brougham) believed this. He believed it—not because it was in the slightest degree probable, but because the hon. gentleman stated it—stated it without mental reservation, too—and, therefore, it was impossible for him to doubt it. But, as the hon. member knew nothing of all that had been done, could any body explain how it happened that a certain Mr. Stanbury was in gaol at the present moment? Mr. Stanbury had been summoned by the committee to tell what he knew about this affair, of which nobody else knew any thing; and instead of coming forward to illuminate
the committee, he had abconded, and
and been committed for contempt. It
was no mistake; although something to
that effect had been hinted: because, if it
was a mistake, Mr. Stanbury might peti-
tion the House, give his evidence, and be
let out. But Mr. Stanbury did not at-
tempt to do that: and altogether, perhaps,
it was not so very extraordinary that he
should have a fancy to pass the summer
in gaol; for the House would find that
he was altogether a very odd fellow. He
went to Penryn, it appeared, for no pur-
puse but to see the amusements of an
election; and he gave away, for the plea-
sure of seeing the hon. member (Mr.
Barclay), of whom he knew nothing, re-
present that place, as much as 1,300l. in
the morning; and this could not have
been all that he had given away; because
the hon. member did not sit there as mem-
ber for Penryn for 1,300l. The price of
boroughs was known too well for any body
to believe that; and, at the time when
Mr. Stanbury gave those sums away, he
knew that, besides parting with the money,
he was running a chance of getting into
what was called, in Penryn, a “misfor-
tune,” and what was called, in the court
of King’s-bench, a misdemeanour; and
Mr. Stanbury did all this, and moreover
told to lie and rot in gaol, rather than
say a word about it, purely to
secure the election of the hon. member for Penryn;
he not being at all employed as the hon.
member’s agent, nor in any way indemni-
fied by or connected with him! [hear,
hear]. Now, he hoped that the entire
veracity of all this statement would be as
clear out of the walls of that House as it
was within them. His mode of reconciling
the apparent difficulty was a plain, and,
he trusted, not an illiberal one. It was
this:—He supposed that an hon. gentle-
man, who could swear, without mental
reservation, that he knew nothing of par-
ticular acts, done obviously for the further-
ance of his interest, must have made a
provision for future ignorance, by employ-
ing an agent generally, and shutting his
eyes to all the steps or measures which
that agent might find it necessary to take.
Because the fact was, the hon. gentleman
had no property or connexion in Penryn
(expressions of dissent). Well, if the
hon. gentleman had an overpowering pro-
PERTY and influence in Penryn, it was
another matter; but still the hon. member
must admit that Mr. Stanbury was a very
odd man? Because, that he did really
pay the 1,300l., and other large sums of
money in Penryn, the House would see.
And who the deuce could have paid him
again? for nothing could be more certain
than that the hon. gentleman had not.
Where could these sums have come from?
What a man of means, as well as bounti-
ful disposition, and particular desire to see
the hon. gentleman member for Penryn,
was Mr. Stanbury! And what was still
more extraordinary—and even as extra-
ordinary as his fancy for lying in prison
all the summer—his good offices were not
confined to giving away large sums of
money to secure the election of the hon.
gentleman opposite for the borough of
Penryn, but he appeared, just at that
same time, to have been disposing of his
wealth, with equal liberality, in two or
three other places: it was very odd, too,
that they were boroughs in the county.
The hon. and learned member, after re-
peting his belief that hon. gentlemen
who were so fortunate as to get all this
done for them, and yet were able to swear,
without mental reservation, that they knew
nothing of the means by which it was
accomplished, could only place themselves
in that lucky position, by choosing an
agent, and taking care to avoid seeing any
thing of his operations, concluded by
stating, that he thought the case of
Penryn merited a candid and impartial,
but a most rigorous inquiry.

Mr. Charles Barclay felt himself com-
pelled to address a few words to the House,
lest the talent of the hon. and learned
member who had just sat down, for ridi-
cule, should lead hon. members to a wrong
conclusion. The hon. and learned mem-
ber had stated—that the hon. member for
Penryn, his relative, had no property or
influence in Penryn. This was directly
the reverse of the fact; for his hon. rela-
tive had been introduced there by persons
of the highest influence, and had gone
down to offer himself upon their assurance,
that he might come in upon the most
honourable terms. With respect to the
observations about Mr. Stanbury, if the
hon. and learned member had only looked
at the evidence before the House, he would
have seen, that to the case of his hon.
relative they were entirely inapplicable.
He would have found there, that the
1,300l. which he stated to have been paid
by Mr. Stanbury, had been paid for pur-
poses and objects quite distinct from his
hon. relative's election. The hon. member, after asserting, he begged to say, in the plainest terms, that Mr. Stanbury was no agent, nor had been, of his hon. relative, sat down by declaring that that hon. gentleman had been returned as fairly to the house as any member who sat in it.

Mr. Brougham said, he had certainly laboured under a mistake, and he had no hesitation in at once admitting it. He had supposed Mr. Stanbury and Mr. Sowell to have been general agents for the hon. sitting member for Penryn; but it turned out that they had been agents for the member who had petitioned.

Mr. Legh-Keck, in reply, moved, that the Report of the Committees on the Penryn elections of 1807 and 1819 be read, and the Resolutions of the House thereon. They were accordingly read by the Clerk of the House.

The Resolutions were then put and agreed to, with the exception of that directing the Attorney-general to prosecute Joseph and Richard Sowell, John Stanbury, and others, which was postponed until further evidence should be produced. The Reports of the Committees upon the elections at Penryn in 1807 and 1819 were then ordered to be reprinted; and Mr. Legh-Keck and sir Charles Burrell appointed to prepare the bill for the prevention of bribery and corruption in the borough of Penryn.

HOUSE OF COMMONS.

Wednesday, May 9.

Transubstantiation—Petition of General Thornton.] Mr. Hudson Gurney presented a petition from lieutenant-general William Thornton, formerly a member of parliament for the borough of New Woodstock, referring to a proposition brought forward by the petitioner, in the years 1817 and 1818, for a Committee to consider of the propriety of dispensing with the Declaration against Transubstantiation, which asserts the worship of the Church of Rome to be idolatrous; urging that the oaths of supremacy, allegiance, and abjuration are sufficient security to Church and State, against the influence of the Pope and the church of Rome; and praying, as a Protestant measure, that a law should be passed, to dispense, in future with such Declaration.—Mr. Gurney said, that he considered that the general's motion in a former parliament, had not received the attention it merited: and though this was, probably, not exactly the conjuncture in which it might be most advantageously brought forward, he was convinced that some alteration in the wording of these oaths would be no diminution of any security they might be supposed to afford, and would be getting rid of the great practical evil of rendering it almost impossible for any one having Catholic connections to conform to the Establishment, however desirous of doing so.

Ordered to lie on the table, and to be printed.

Sussex Election Bill.] Mr. Curteis moved the second reading of the Sussex Election bill, and strongly recommended the taking of the poll at Lewes.

Mr. Huskisson opposed the second reading of the bill, and rested his opposition to the measure on two grounds:—The first, on the ground of general principle, and the second, because he was a freeholder of the western part of Sussex. It was certainly extraordinary, that the hon. member should bring forward this bill, while the committee, appointed for the purpose of introducing some measure to diminish the expenses at county elections, was sitting. In the course of the session, the House might expect to receive a valuable report, suggesting various modes for taking the poll at county elections with the least possible expense. A noble lord (J. Russell) had suggested the taking of the poll in several places in a county for the accommodation of freeholders; but the hon. member who brought in this bill would remove the election from one part of the county to another. Now, it was not the ordinary way of proceeding, for this House to remove, without some misconduct, some breach, or injury committed, those rights which had been enjoyed for time immemorial. It had not been stated, that Chichester had forfeited this franchise by any misconduct. No proceeding had taken place in that city which could call for the deprivation of that distinction which it had enjoyed ever since it returned members to parliament. On the same principle it might be said, that Cornwall returned too many members to parliament, and similar measures might be proposed to remove them. If the House were to sanction this measure, they would have to introduce it into all the counties of England. If the hon. member would propose that the poll should be taken
seven days at Chichester, and seven at Lewes, as an accommodation to the freeholders, he would make no objection; but his great objection was, to make the taking of the poll permanent at Lewes, and to hold the election in the eastern part of the county only. He would move, that the bill be read a second time this day six months.

Lord G. Lenox seconded the amendment. The noble lord complained of the hon. member who brought in the bill for having written letters during the late election, to the mayor of Chichester, in which that noble lord was in danger from the mob, and threatened to bring him to the bar of the House in consequence. The hon. member had also written to the Secretary of State for the Home Department, complaining that, "he could not take the polls in safety, and that his freeholders were kept back." Now, (lord G. Lenox) had been on the hustings during the whole of the election, and he could safely say that no riot or disorder occurred. He hoped the House would not gratify the freeholders of the east, at the expense of those of the west.

Sir J. Shelley supported the bill. He was the advocate for a gradual and limited reform in parliament; and he thought that the best chance of obtaining that reform was to let all the voters have the benefit of the elective franchise; which, when the election was held at Chichester, they had not.

Mr. W. Burrell thought the election ought to be held at Lewes for the western part of the county, and at Chichester for the eastern division.

Mr. Davies Gilbert said, that a committee was sitting up stairs, which would render unnecessary this bill of his hon. friend. He therefore advised him to withdraw it.

Sir C. Burrell protested against the hon. gentleman legislating for Sussex, on a principle different from that acted on, with regard to any other county.

Mr. C. Pelham said, that local interests were better attended to under the present system than they would be under the proposed change.

Mr. Cortes said, he should take the advice of hon. gentlemen and withdraw his bill.

The bill was then, with the leave of the House, withdrawn.

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HOUSE OF LORDS.

New Administration—Corn Laws. 708

From this information received in this country, it was impossible for any person to contemplate the existence of the British troops in Portugal without supposing that they must be called upon—without supposing that they must be forced—to intervene in contests altogether of a civil and domestic nature. Under these circumstances, he felt it to be his duty to call upon his noble friend opposite to inform the House whether it was the intention of the government to lay upon the table any information as to the late and present state of affairs in Portugal.

Lord Dudley replied, that it was not the present intention of government to lay any papers before parliament on the subject. The question respecting the withdrawal of the British troops was one of great importance, and was connected with negotiations which were still pending, and which were not in a state to be laid before the public.

Lord Ellenborough wished to be informed whether the negotiations now pending were carrying on with Portugal or with any other power.

Lord Dudley said, he must decline answering the question.

New Administration—Corn Laws.] The Duke of Newcastle presented a Petition against any alteration in the Corn-laws. He said, that he should have thought it his duty to oppose the proposed bill respecting the Corn-laws, even if the noble author of it had continued to form part of the late government. But, if he should have thought it his duty to have done so under those circumstances, when the honourable persons who had been driven out of his majesty's government were in a situation to counsel their colleague, he should think it now to be his duty more particularly to oppose the bill, when those checks and safeguards were taken away. He should therefore oppose the present bill; and he did think that it was the duty of every honest man—the duty of every friend to his country—to stand forward and lead his aid to dispossess of power one who—perhaps he might be using a harsh term, but he knew of no other which would convey his meaning, and he applied it in a political sense—was the most profligate minister that had ever been placed in power. He called upon all those persons of whatever party they might be, to liberate the king from the awful and tremendous position in which he was placed, and to overthrow the coalition which he believed to be the most dangerous and the most unprincipled, that had ever entered into the head of a statesman to project. He had thought it his duty to say these few words to acquaint their lordships with his opinion. He was afraid he had not clearly enough expressed himself; but he was sure that it was the sentiments of every man throughout the country, from John O'Groat's House to the Land's-end.

Lord Templeton presented a Petition from Newport Pagnell against the Corn-bill. He should move to-morrow, that the petition be taken into consideration, in order to afford the petitioners an opportunity of being heard at their lordships' bar.

The Earl of Darlington said, that after the eloquent speech which had been made upon the presentation of one of the petitions against any alteration in the Corn-laws, that had been laid upon their lordships' table that day, he felt himself called upon to say a few words. With respect to an alteration in the Corn-laws, he had long formed his opinion upon the subject. He had, however, thought it necessary to inquire of some practical farmers, what were their opinions; and he was happy to find that they corresponded with his own. He thought that the bill was a desirable, he would not say a perfect one; but he believed it to be better than any that had been yet proposed; and he would, therefore, give it his support, without deciding upon it as a permanent measure. In adhering to the bill, he could not avoid saying, that he felt astonished and surprised, at the course which had been taken by noble lords upon the opposite benches. He regretted deeply, to see their sudden and violent opposition to his majesty's government; which had arisen, as he conceived, from one of two causes—either from a desire, upon the part of some noble lords, to return to their office and to place, or from a desire to dictate to the sovereign in the appointment of a minister. He, for one, thought that both causes were objectionable. It had been observed by a noble earl upon the opposite benches, that he could perceive an approximation between the late government and the late opposition; and he was ready to admit that, when he sat at the other side of the House, he had, in most
future period. If any mystery did exist with respect to the formation of the government—and of the fact of its existence he believed there could not be a doubt—he considered that the public and the parliament were as fully entitled to call upon the members of the Cabinet for explanation, as upon the noble lords who had retired from the government; and that the members of the Cabinet were equally bound to give it. He did not stand there to ask questions from any factious motive. He was acting individually, and for what he conceived to be the best interests of the country. He thought it was essential for it to know, what was the real state of the question. If he asked, whether the great offices of state were filled, he was aware that the answer would be, that they were filled; and, in a certain sense, of course they were so. But he would ask, if those offices were filled in the manner in which they were to be permanently occupied? He thought the country had a right to explanation upon this point. How did their lordships know that the most important interests of the country might not be compromised, or be placed at stake, in consequence of the proposed alterations? The government, as at present constituted, was composed of members who had heretofore acted in opposition to each other—who differed in the most material questions with the late administration; those differences were known to exist; and it was not easy to believe that they were quite reconciled; but if that was the case, let it be declared. He did not want to press unnecessarily for any disclosures; but he considered that matters of such importance should not be withheld. In what situation would the country stand, if that information was not immediately afforded? It was very possible the business of parliament might be got through very shortly; they were given to understand, that no discussion would take place on subjects that had, in former sessions, occupied a considerable period; and that other important questions would not be brought forward. And, if no explanation took place, in what a state would they be, if a prorogation should prevent their forming an opinion on one of the most important points which could occupy their attention? Were they to remain in that state until they were called together again? He had mentioned these circumstances as they had arisen in his mind; he had not mentioned the subject to a single individual; he did not belong to any party, nor would he lend himself to any party with a view to injure or inflict injustice on any one. He called on the noble earl to state those facts to the House, not from any motives of idle curiosity, but on behalf of the country.

Viscount Goderich said:—My lords, I do not mean to impute any want of courtesy to the noble earl for the questions he has asked; nor do I complain of the doubts which he has so frankly and distinctly expressed, with respect to the present position of the government. But I wish to observe to the noble earl, that he has not accurately stated the circumstances under which my noble friend arose to address your lordships. If the noble earl had arrived in this House at an earlier period of the evening, he would have heard a noble duke upon the opposite benches declare, in the most unequivocal terms, not only his total want of confidence in the administration, but his most unqualified repro-
noble lords, in justice to us, and in justice to themselves, and to the consistency of their own principles, to bring the question fairly to the test. And then, my lords, if we are not able to satisfy the House and the country, that they should repose their confidence in us, and that we are fully disposed to use our best endeavours to promote the welfare of the country, in those situations in which we have been placed, and for the exercise of which we are responsible to our king and to our country, you will tell us so, and we will bow to that decision. But it is not fair that we should be thus attacked day after day, by interlocutory questions, which can lead to no satisfactory result. All we want is a fair opportunity of entering into a full explanation of our views and intentions; and, from what I know of the high and generous feelings of my right hon. friend at the head of the Treasury, his great anxiety would be to have that opportunity afforded us, so that we might be no longer baited, day after day, without having it in our power to shew, by distinct proof, whether we be or be not, worthy of the confidence of your lordships, and of the country.

The Marquis of Salisbury said, it was rather too much to call upon noble lords on his side of the House, to bestow their confidence upon an administration which had not, as yet, performed any act. He had, however, no hesitation in declaring, that he should look with the utmost suspicion upon every act of an administration constituted as the present government was. Some of the noble lords who were in that administration had positively stated their wish to be out of office; others declared that they had joined it for the purpose of furthering a question which was not to be at all brought forward, at least as a cabinet question. Others, again, had remained in office, as the best means of securing a Protestant parliament to a Protestant king; and all these were united with a body of men who had previously opposed almost every measure they had brought forward. He saw these things with suspicion; and they indicated, he thought, a change in the principles, or in the policy, of those who remained in office. It was far from his wish to have addressed these observations to their lordships; if it had not been for the noble earl who had caused the debate [no. 713]. He left it to the judgment of their lordships, whether any thing said by his side of the House could justify the application of such words as “factious” to the Opposition. Not having had as yet the advantage of deciding on any one act of the government, they could not be taxed with being a faction. He distrusted the minister at the head of the government; but he could not, on that account, be accused of forming a factious Opposition. He could assure the noble earl, that it was by no means his wish to suspect the motives of any administration which had received the approbation of his majesty. In the king he placed the most perfect confidence; and he was convinced that, if his majesty discovered that measures were adopted under the mask only, and not in the spirit, of the earl of Liverpool’s government, he would at once call on the country to rid him of such an administration. And if it was not for that confidence which the country placed in his majesty, and the conviction they entertained of his firmness (loud cries of “order!”)—

The Earl of Harwich rose to order. He did not think that this sort of conversation ought any longer to be continued. It was irregular to allude to the private opinion of his majesty, although the acts of his majesty’s ministers were legitimate ground for observation.

The Marquis of Salisbury resumed; and after some further observations on the course which he anticipated, concluded by stating, that he was well aware that such discussions tended to no good; but he could not submit to such imputations being cast upon his noble friends.

The Earl of Darlington, in explanation, denied that he had used the word “factious,” as applied to the Opposition of the noble lords on the other side of the House; though, if he had done so, he could not but think he should have been justified, when he recollected that a noble duke, forming one of the Opposition, had used a term so strong as that of “profligate minister.”

The Earl of Lauderdale said, he did not know why any noble lord was not at liberty to allude, and could not, by the forms of that House, regularly allude, to the transaction, for attempting to speak of which his noble friend had been called to order. If his majesty had thought fit to make any statement, with a view to tranquillise the country, any noble lord was at liberty to ask what it was; and if his majesty had done so, he must have done it on the advice of his ministers, for in that
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House no act of his majesty was known, but as an act advised by his ministers, and for which they were responsible. There were noble lords near him, who, taking the cue from their former conduct, would have acknowledged their responsibility; but they had resigned before the act to which allusion had been made was performed; and there were others present, who then held office, and who had not resigned since; and he repeated, that those who remained in office were responsible for the acts of the government while they continued there. He had only addressed these observations to their lordships, because he foresaw much inconvenienced if the right of alluding to these matters was not regulated.

The Earl of Falmouth said, that the noble earl opposite had accused the opposition with being influenced by a wish to dictate to the king, or by a love of place. The first he utterly disclaimed; professing, as he did, to be as loyal a subject as any in the kingdom: neither was he influenced by a love of place, for he had never sought to obtain it. He did not think, therefore, that the noble earl would be justified in attributing these motives to noble lords who disapproved of the government. He did not complain that the noble earl gave his support to the government. All he claimed for himself was, that the noble earl would not interfere with its opponents, and attribute the views they took of the administration to improper motives. He had a right, as well as the noble earl, to give his support to whomsoever he pleased; and he observed that he could not support any administration in which he did not place confidence. There were many accounts on which he was grieved to say he had no confidence in the present administration.

Looking at the means and powers it possessed, he did not intend to say that it would not be capable of serving the country, but he must repeat, that he had no confidence in it. Holding those opinions, he could not avoid stating them openly, fairly, and he hoped in no unparliamentary language.

Lord Ellenborough said, that the noble earl, who had manifested so much surprise at the existence of the present opposition to the new administration, must allow an equal degree of surprise to be felt by those who witnessed his support of it, and who could not give it confidence. That noble earl's support of the administration was the more remarkable at the present moment, as he now stated that the opinions upon which the government acted, were those which he himself had entertained for the last thirty-five years. If this was the fact, it was rather extraordinary that now, in the eleventh, or more properly speaking, in the thirty-fifth hour, the noble earl, for the first time, thought of giving them his support. That the noble earl's present support, though delayed so long, was not perfectly disinterested, far was it from him to presume; but he was a little too early in showing his disinterestedness. It was well known now that the present government was merely provisional. As places were not yet filled up—its good things were not yet given away, and some time must be suffered to elapse, before any opinion could be formed as to the inducement of those who supported the administration. The noble earl had charged those who opposed the new government, with being actuated either by a love of place or a disposition to dictate to his majesty. As to the first of these charges, he had always understood, that those were nearest place who were to be found in support of, and not in opposition to, the government. But, if the charge was to be maintained at all, which he denied, surely it was least of all to be maintained against those who had resigned places, which they had held for years, and whose resignations had been commented upon in no very delicate language out of doors. As to the other charge, that of a disposition to dictate to his majesty, he merely wished to say, that it was his majesty's undisputed prerogative to choose what ministers he might please; but he would also assert, that it was the undoubted privilege of parliament to express the opinions they might entertain upon the ministers he had chosen. Now, what were those ministers? What was the line of conduct they had agreed to adopt? The only matter in which their opinions seemed to be uniform was, as to the propriety of being quite taciturn. They would not say any thing upon any subject. They would not even tell their lordships—what was as notorious as the sun at noon-day—that they only held their places provisionally. Under these circumstances, what opinion could be formed of a government, when it was not known in what state it was? The question which had been put by his noble
friend to the government was objected to, as it seemed to him, very improperly; for he was of opinion, that that question was but a preliminary step to the motion of which notice had been formerly given. But what was the course now adopted? Why, that of preventing discussion upon the question of the administration, by depriving parliament of the privilege which they undoubtedly possessed; namely, that of expressing their opinion upon those who composed the ministry. The places that were not now disposed of were to be filled up when the business of the session was at an end, and when the parliament had separated, or was about to separate. The deed was to be done in the dark. The good things were to be disposed of, when there could be no more questions about the matter. It might be very convenient for ministers to drop all notices of motion—to give a silent vote on all questions proposed to them, and then to separate. But if they did so, one whole year would be lost to the public service. That course might be very convenient to ministers, but it would be highly inconvenient to the public. As to the conduct of those who had gone over to the other side of the House, he repeated, that they must wait before a final opinion could be pronounced upon them. It would remain for time to show whether this coalition was a coalition, or whether it was merely an accession; or, in other words, a case in which men who had long supported certain principles, acceded to a government, at the head of which was a right hon. gentleman, who had long been advocating principles exactly opposite. He had imagined, that there was a difference between the principles of Mr. Pitt and those of Mr. Fox. That difference, however, was now forgotten; or perhaps he was mistaken in supposing that it had ever existed; perhaps there had been no real distinction between them, and nothing but unfavourable circumstances had so long prevented their respective advocates from rushing into each other's arms. How that might be, he would not stay to inquire; but he did say, that their lordships must wait, before they gave their confidence to this government, until they should know whether this accession had arisen out of a sense of public duty—whether it had been accompanied by perfect disinterestedness—whether it was a sacrifice of private feeling to the public benefit—or whether it was a vulgar case of willing political seduction, only carried on with a little more than ordinary regard to the outer forms of decency.

Earl Spencer said, he could not be silent after such an attack as that which their lordships had just heard; especially when he told them, that it was his intention to support the government. He did not know how the noble lord who spoke last could think of complaining of the language used towards the present Opposition by the supporters of the administration, when he recollected, that it was only a few days since that noble lord had himself put forth a declaration, in the very strongest language, that he would offer nothing but an uncompromising resistance to the present government. That noble lord had spoken of the administration now existing as only provisional. Whether the noble lord was well informed, or not at all informed, upon that subject, it was not for him to say; but he must observe, that unless that noble lord was correctly informed, it did not become him to use such expressions; for mere rumours, or newspaper reports, were not fit subjects to be introduced to their lordships. He should not interfere with the conduct of noble lords who opposed the administration. He would give them that credit, which, by the bye, they did not seem inclined to allow him; and would suppose that they acted from very proper motives. The noble lord opposite claimed the right of placing his confidence where he might think fit. That right he was willing to concede to the noble lord; but then, at the same time, he claimed for himself an equal right to place his confidence where it might seem best to him to repose it. Without wishing to prolong this conversation—he would not stay to inquire how it had arisen—it was his wish to give their lordships a short view of the grounds on which he was prepared to say, that he should support the present government as long as they acted up to the liberal principles which they now avowed. To noble lords who pretended an ignorance of those opinions, he would put the question, where had they lived during the last few years? Many of them, especially those who now supported the administration, had approved of a number of the measures of the late government. From some of those measures they—and he among the number—had expressed their dissent. In
one instance, especially, he had differed from the late government. He meant in the support he had given to a measure to which that administration was opposed, but which he then and still considered as one of paramount importance; namely, the measure for the relief of the Catholics from the disabilities under which they laboured. He had said then, and he now repeated it, that the peace of the empire to which that administration was opposed, one of paramount importance; namely, the measure for the relief of the Catholics from the disabilities under which they laboured. He had said then, and he now repeated it, that the peace of the empire to which that administration was opposed, one of paramount importance; namely, the measure for the relief of the Catholics from the disabilities under which they laboured. He had said then, and he now repeated it, that the peace of the empire to which that administration was opposed, one of paramount importance; namely, the measure for the relief of the Catholics from the disabilities under which they laboured.

When he said, that as the present administration was said to be contrary to the claims of the Catholics, and on learning that those who were to succeed to their places held the same opinions upon that question which he espoused, he felt inclined to give them his support. The present administration was said to be formed upon the principle of lord Liverpool's government. He was not exactly sure what that meant. The government of the noble earl was founded upon the principle of a divided administration. On that principle other noble lords might put what construction they pleased; but to him it did not appear a very advantageous mode of forming a government. He thought so during the existence of that noble earl's administration, and he was of the same opinion at this moment. But the division then was especially objectionable to him; and he called upon those who considered the two administrations as the same, and who might charge him with inconsistency in supporting that which now existed, to look at the difference between them, and then to say, whether such a charge could be supported. In the administration of which the earl of Liverpool was the head, it was well known that the majority were hostile to the claims of the Catholics; and the noble earl himself expressly declared, that he would not concede those claims. Now, when he thought that those claims ought to be granted, was it not natural for him to be opposed to a government acting on precisely the opposite principle? What was the case at present? The change, in that respect, had been complete; for that part of the late administration who had been friendly to the proposed concessions were the majority of the present government, at the head of which was the right hon. gentleman, who had long been the persevering and eloquent advocate of those claims. If perseverance in the endeavour to obtain what he thought justice required to be granted was worthy of confidence, then that right hon. gentleman had a full claim to his confidence; and he felt that he deserted none of his principles, and that he was justified in the fullest degree, in affording his support to the government, so long as it was inclined to adopt those measures which he thought advantageous to the country. All the vulgar imputations of sordid motives, and of profligate conduct, seemed to him highly improper; and he positively disclaimed their application to himself. He made no accusations against those who had retired from the government. They had a right to retire, if they could not place confidence in it. He did not know what was the occasion on which it had fallen under their censure; but if it had, they certainly had a right to mark their unfavourable opinion of it by quitting it. He would not speak of any concert between those who had so quitied the administration, nor of their motives. He was willing to believe that they had quitied for no other reason than that they could not place confidence in it. Why they could not place confidence in it he was equally unable to say; but, while the right hon. gentleman now at its head was in favour of those measures of which he himself entertained a favourable opinion, he should give that right hon. gentleman his support; and he trusted he might do so, without incurring the reproach of deserting those principles which he had hitherto professed.

Earl Grey rose and said:—It is not possible for me, my lords, to abstain from saying a few words upon this occasion, because I assure your lordships, with the utmost sincerity, that nothing can be so truly painful to me, as to find myself in a situation in which I must explain those differences of opinion that have separated me from those noble friends, with whom I have acted throughout the whole of my political life, and for whom, at this moment, I entertain the most sincere and ardent affection. Before, however, I say one word about those differences, I must distinctly disclaim any participation in the opinion, that there is the slightest necessity for us.
to wait the progress of time, in order to be fully convinced of the purity of their motives, and the honesty of the intentions, which have induced my noble friends to adopt the course which they have thought proper to pursue. On whatever reasons they may have founded their conduct, and whether those reasons may appear satisfactory to me or not, I am certain—as certain as I am of my own existence—that in taking their places on that side of the House—to which I regret I cannot accompany them—nothing but the most perfect disinterestedness, the most sincere conviction that what they did was an act of paramount duty, can have influenced their conduct [hear, hear!]. To differ from such men, at all times, but especially on such an occasion as the present, and with such a conviction as I entertain of the purity of their motives, must be painful in the extreme; and the pain occasioned by that difference is such, that the agitation which I feel at this moment almost deprives me of the power of addressing your lordships. I sit here now. I have sat here for twenty years, with at least but one exception. I have not forfeited my right to retain the seat; but, although ranked among those who occupy the Opposition benches, I beg not to be classed as one of those who are now forming an opposition to his majesty's government. I am sure the noble earl who opened this debate will not attribute to me any factious or interested motives for my conduct. I disclaim all opposition to his majesty's government. I do not remain here with any determination of that sort, but because I cannot see, in the principles on which that government is constructed, any grounds for that confidence which it is necessary I should feel in it, before I can give any pledge, or promise, of my support of its measures. Something has been said of an attempt to dictate to his majesty in the exercise of his royal prerogative.

My noble friend, who advanced that charge, has said many things which I was surprised to hear. It certainly is the undisputed and indisputable right of the king to choose what ministers he pleases; but, over the exercise of that undisputed right, there did exist a control, as there does over other acts of the royal prerogative, and that control is vested in the parliament; so that if the parliament does not feel that the ministers of the king's choice are such as deserve their confidence, they are exercising only, on their part, that right which, in the best times, and by the most wise and most virtuous statesmen, has been frequently acknowledged—the right of remonstrating with his majesty on that choice, which appears to them prejudicial to the country. Although, therefore, the choice of ministers is an absolute and undisputed prerogative of the Crown, yet it is not beyond control; and in upholding the prerogatives of the Crown, let us not forget, my lords, what are the privileges of the people; and that, if it is the prerogative of the Crown to appoint the ministers, it is equally the privilege of the people to express their disapproval of that appointment. For these reasons, I think that those who have declined to enter into the service of an administration of which they disapprove, have been perfectly justified in their conduct; and this I take to be a rule so clear and so sacred, that I think they have only been wrong in entering into any explanation respecting it [cheers]. I am glad to find, from these marks of approbation, that what I have stated is assented to.—Then, what are the objections entertained by persons who might fill the vacant offices of the government, but who have declined to do so? There may, my lords, be many objections. I have heard a great deal said upon this subject, which I confess I do not precisely understand. I have heard of objections arising from personal, meaning thereby unjustifiable, feelings. I do not think that meaning ought, in all cases, to be affixed to the word. When I am called on to enter into the service of an administration, I am called on deeply to commit my character and my honour in the measures of that government of which I am to form a part; and, if I see that the person who influences and directs the administration is one to whom I cannot safely commit myself, I am bound to decline engaging in the service; as I do not feel that security for my honour and character which a full confidence in the head of the administration alone can give me. In that sense of the word, a personal objection may be the soundest and the best objection that can be entertained, and to claim the right of questioning any one upon such objections is, in my idea, a most improper, and, I will add, most unconstitutional dogma. I have said thus much on this point, without any intention of defending the one side or the other, but to place the question...
upon constitutional grounds, and to contest for the right which every man ought to possess over his own actions; to attempt to deprive him of which would be most un-constitutional and unjust. And now I leave this part of the subject, and return to the observations of my noble friend opposite. I again declare, that I form no part of a factional Opposition; indeed, I form no part of an Opposition at all. On the contrary, if there be any persons in this House to whom my principles are more decidedly opposed than to any other, they are those whom I have lately heard professing themselves to be the Opposition to the government. Not only do my principles prevent me from wishing to do any thing, but they will induce me not to do any thing, that may promote their return to power. Having said this, if I am asked, why I do not support the present administration, I must answer, by repeating what I set out with saying—that I cannot see in its composition those grounds of confidence, that would enable me to give them consistently and conscientiously a formal pledge and promise of support. I have heard that this administration is likely to promote the accomplishment of that great question, which, like my noble friend who spoke last, I consider to be one of paramount importance; and the full and decisive, and satisfactory settlement of which, I believe, with him, to be necessary to the peace and security of the empire. When I say thus much, let me not be supposed to assert, that the granting of this matter is alone sufficient to accomplish every thing that is necessary to the tranquillity and welfare of Ireland. Far from it. Alone, I believe it would produce little good. There are many measures which must be carried into effect, before we can hope to remove the evils, and to remedy the oppressions, under which that country has long groaned; but, without this leading measure, it is my firm belief, that all others must be ineffectual; and that, until this great question be carried, all attempts to ameliorate her condition, or to improve her character, must be worse than useless. To those, then, who are opposed to the granting of that measure, I am strenuously and systematically opposed, and to those who support that measure, I give my firm and cordial support.

But, one of the grounds on which I refuse my confidence to the present administration is this—I do not see in that administration—I do not see in the persons who compose it, or in the principles on which it is understood to be formed—any thing to justify me in supposing, that this question will advance one step, in consequence of the change to which they owe their places. Is it not true, I will ask, that they have entered into an engagement with his majesty—let not the House be alarmed at the idea that I am about to enter on forbidden ground, or to touch upon a topic which the rules of parliament exclude from its discussions—that they have entered into an engagement with his majesty, as to certain distinct principles on which the administration has been composed? We heard at first that this administration was to be formed upon a principle similar to that of which the earl of Liverpool was the head. My noble friend who spoke last has stated his ignorance of what that principle means. But it is not so with me—I did, and I do, understand its meaning; and it is this: the exclusion of the Catholic question, as a measure of government. To that principle I have always been, and always shall be, steadily opposed. And I now ask of the noble lords opposite to answer me, aye or no, is that question, or is not that question, to be proposed to parliament by them? We are told, it is true, that any individual of the government may, if he pleases, propose it; but this is a privilege, and not only a privilege, but a right, which was never denied to any member of lord Liverpool's administration, or of any administration that ever existed. I ask, then, of the noble lords opposite, or of any one of them, to answer me, aye or no, has or has not an engagement been entered into, not to bring forward the Catholic question as a measure of government? If such an engagement have been made, that at once settles my mind; because it is a principle which I have always opposed. It is nothing less than that which, in 1807, I rejected; and to which nothing can ever reconcile me, either as a citizen of a free state, or as it regards the oath which I have solemnly taken to the king, to give him the best advice I am capable of giving, as a privy councillor. If this, then, be the principle in which the new ministry are agreed, that alone will prevent my pleading myself to their support; although I will support, to the utmost of my abilities, any measure
which tends, either directly or indirectly; to the granting of this great question, which I consider as more important than any other.

But there is another consideration which would lead me to the same conclusion, and prevent my giving to the new administration my support; I mean, the principle of division in the cabinet. That division may not, it is true, be as equal against the Catholics as it was in the administration of lord Liverpool; but if it be more unequal, when I see the highest law authority in the land, who is notoriously adverse to the measure which I advocate—and when I know that his extensive patronage will be employed to gain opposers to that measure—I find it impossible to give any pledge, to become the general supporter of an administration so constructed. We are told that all the other great offices of the Crown are filled by those who support this great question. For the proof of this assertion I must be allowed to say, we must yet wait; for sufficient evidence of it we do not at present possess. I know that the first minister of the Crown, who must, of necessity, possess great political, great civil, and great ecclesiastical patronage—which patronage, if employed to bring about this most desirable end, will naturally have considerable effect—is the advocate of this important measure. And, so far, the change that has taken place, I consider as advantageous change. But, if I see a principle employed to check and control his power, I must be allowed to wait for evidence before I can proceed; to perceive some facts, which will prove something more than assurances. Is there, then, such an engagement as that to which I have referred? Will the noble lords opposite, or will they not, contradict it? If it be not contradicted, let us see how the right hon. gentleman at the head of his majesty's government will stand. He will not bring that measure forward—but he will employ all his abilities, and all his extensive patronage, to forward it; and he will do that in one way which he will not do in another. I have heard talk of conspiracies upon this occasion; but, if this be the way in which this great question is to be carried, what name, I ask you, does it deserve? I, therefore, my lords, find myself placed in a situation, which makes it quite impossible for me, feeling a sense of public duty, recollecting what I did in the year 1807, recollecting what I did in the year 1809, and recollecting what I wrote and what I signed in the year 1812—I say, which makes it quite impossible for me, without violating every pledge and promise I have given, without breaking every undertaking I have made, without being guilty of the greatest inconsistency—to join in a general declaration of support to an administration such as that which is at present formed.

But, there is another question to which allusion has been made by my noble friend; I mean, the foreign relations of the country. And here I must observe, that I know not how it has happened, that a sort of contrast has been held up before the public, between the conduct of the right hon. gentleman, now at the head of his majesty's government, and that of the individuals with whom he was recently associated—his former colleagues in the administration. On this subject, I must declare, that it will be necessary for me to know that the salutary measures, referring to this subject, were carried by the right hon. gentleman, not only without the assistance, but in spite of the efforts, of those individuals, before I can consent to allow him the exclusive merit belonging to them. I am sure that he has not himself led to the holding up of this contrast: I am sure that it has been owing to the indiscretion of his friends. For, if I could believe him guilty of such conduct, that would be, indeed, one great reason, why I should refuse him my support, and withhold from him my confidence. Let us, my lords, for a moment see, what has been the history of the right hon. gentleman's career. The right hon. gentleman quitted office in 1809; upon what grounds it is not at this moment for me to say. He returned partially to office in 1814; and soon after he became president of the Board of Control, in which office he continued until 1820; when he again left office, declining to take any part against the late queen. Now, during the whole course of the right hon. gentleman's public career, there is not any man who has less approved of his conduct than myself; and I therefore ask, whether I could with honour—whether I could, without a sacrifice of personal feeling and of personal character—give my support to the administration of the right hon. gentleman? I thought then, and I think still, that the right hon. gentleman deserved no excu-
sive praise for any liberal act of the late administration. Was it to be supposed that his colleagues would have allowed themselves to be dragged into any measure proposed by him, in which they themselves did not perfectly concur?

Things went on in this way for a time, and then some alterations were made; but it will be found, upon inquiry into the history of the country, that they arose more from the change of time and circumstances, than from any exertion or support on the part of the right hon. gentleman. First let me take South America. I was one of those who recommended and approved of the recognition of the independence of that country; and if any blame existed on the subject, it was that the recognition of the independence had not been too long delayed. But, if the policy of that measure was to be learnt from a speech published by the right hon. gentleman; and, if we are to judge from his statement the reasons which dictated it, then I say, that that right hon. gentleman's speech is deserving of the greatest reprehension. I say this, because I find that he connives at the invasion of Spain by France—and why?—Because he looked elsewhere for a security against the effects of that invasion. And where did the right hon. gentleman look? He looked to the benefit to be derived to this country, from the separation of South America from Spain. In that speech the right hon. gentleman stated, "that he had called the New World into existence, in order to defeat the policy of France, with respect to Spain." From this it appears, that the right hon. gentleman—looking only to some beneficial commercial intercourse between this country and South America, was ready to set aside every feeling of national right and national independence. In that speech the right hon. gentleman, there was much to inspire me with respect; but I must say, that there was also in it much to inspire me with a very different feeling. In the first place, I deny the soundness of the right hon. gentleman's policy; because I do not think the danger to this country less, though the colonies were so separated; nor is it true that it was the union of the Indies which made us so jealous of the connection between France and Spain. Our jealousy was not founded on European principles, but on the military position of Spain, and the consequent danger to Ireland, if Spain should be in the occupation of France. The danger, then, was not from Spain and the Indies, but from Spain alone. The right hon. gentleman took to himself all the credit of having called the colonies of South America "into existence." But, how stands the fact? Why, we find that the acknowledgment of the independence of South America did not take place until two years after the late occupation of Spain by the French—until after the perpetration of an act, on the part of the French government, which I do not hesitate to pronounce more base and oppressive than any committed even by Napoleon himself. The occupation of Spain took place in 1823, and the South American States were not acknowledged by this country to be independent until 1826. And then, my lords, I say, that the right hon. gentleman's assertion, "that he called those colonies into existence," was an idle and an empty boast [cheers from the Opposition benches]. They were called into existence by their own exertions—they were called into existence by the example of the United States of America—they were called and nurtured into existence by the united wishes and encouragement of the people of this country. The people of those colonies had so far advanced their own cause, that it was impossible their final independence could be much longer delayed.

Having said so much as to my own opinions upon the subject, I shall now take leave to call your lordships' attention to what the right hon. gentleman says himself upon this occasion. "If," says he, "I allowed France to occupy Spain, was it necessary that we should blockade Cadiz? I say no. I looked another way for compensation; I looked to another hemisphere; and, if France occupied Spain, I resolved that it should not be Spain with the Indies. I called the New World into existence, to redress the balance of the Old" [cheers from the Opposition]. Could any thing be more idle than this empty boast! Let us now see what was the language held by the right hon. gentleman to the Spanish minister upon this very question. He observes to that gentleman, in his note of the 25th March, 1826, "The separation of the Colonies in the New World from Spain is neither our work nor our wishes. Events have occurred in which Great Britain took no part, but which caused the separation of Spain from
her Colonies—a separation which might have been prevented, had our advice been taken in time." And yet this was the man who had "called the New World into creation;" and observed, that, although he had allowed France quietly to occupy the Spanish territories, it must not be with the possession of South America. In another part of this despatch, and a very long despatch it was, the right hon. gentleman says, "The undersigned has it in command from the King, to offer his Majesty's kind offices, for the purpose of bringing about an amicable arrangement between the King of Spain, and those Colonies which have separated from him."

Now, after all these statements on the one side and on the other, I ask your lordships whether I can fairly place any confidence, either in the right hon. gentleman, or in the government he has brought together! My doubts are not of recent occurrence; but still I must say, that a singular coincidence of opinion with me has arisen even this very day. Before this debate began, a question was put to my noble friend, the Secretary for Foreign Affairs—whether he holds his office provisionally or not, I cannot say, but no one is better qualified to hold it permanently, for the interests of the country—respecting the present state of the army in Portugal, which shows the difficulty in which that small army is placed. And, while I am upon the present subject, I must state, that, with respect to the British troops in that country, the last accounts received go to prove, that all our measures were too tardy; and that, if the proper course had been sooner adopted, there would have been a much better chance of its being effectual. I must confess that I thought so at the time that this course was adopted; and, had I been present, I should not have gone the lengths which some of my noble friends did, in giving it their approval. At the same time I will also say, that, with respect to the influence which such a proceeding would have upon the whole of the Peninsula, I would most undoubtedly have supported it, had it been done at a period when it would be justified by sound policy and by a prospect of success—a consideration which should be always held in view by sound statesmen. But, feeling that we are embarrassed by having at this time adopted such a course, and that we are likely to be more so, I must recur to those measures of policy adopted by the right hon. gentleman in his declaration to the government of France, "that, come what would, England would not interfere with the invasion of Spain, although such a proceeding must be considered a gross infraction of the rights of nations." And is it not well known—and I say this, as every man in the country is now informed on the subject—that one word from our government, on the principle of preventing the invasion of Spain by France—that principle which induced this country to oppose the views of Louis the 14th, and which caused our resistance to the aggression of Napoleon—is it not, I say, well known, that one word, resolutely spoken, would have prevented the last invasion of the French; which was as bad, and as unprincipled, as either of the former? Taking these things into my consideration—viewing, as I do, the conduct which the right hon. gentleman has pursued, both with respect to Spain and Portugal—I must confess that I feel no ground for confidence in his counsels; and further, that I think them very doubtful. Again, upon the general foreign policy of the country, I feel called upon to state, that I place no confidence in the right hon. gentleman's administration. Let those who differ from me upon this point, show me a single act calculated to secure my confidence upon this subject.

But it has been said, and much stress has been laid upon it by a noble friend of mine, that the right hon. gentleman is the friend of civil and religious liberty. That he is so far a friend of religious liberty as to be the strenuous supporter of Catholic emancipation, I am ready to admit. That he means to do every thing in his power in support of it, I also agree; but, giving the right hon. gentleman credit for this disposition, I must say, that in what he has done in the construction of the administration which he is now forming, he has done more to injure that question, than has been done for a long time by any individual. If he means to serve that measure, the course he has taken is, in my opinion, altogether a wrong one. But, leaving that for a moment, there are other tests by which to judge of the question, whether or not the right hon. gentleman is a friend to religious liberty. If I could place reliance on the public reports of what has occurred in another place—and I see no reason to doubt their accuracy—the right hon. gentleman has proclaimed his opposition to the repeal
of the Test act. On what principle of religious liberty the right hon. gentleman can oppose the repeal of those useless and very annoying acts, I am at a loss to know; still less can I understand the principle—if principle it be—if this opposition is given with the view of promoting the Catholic question. In what way the continuance of an injustice to one sect, can be supposed to accelerate the removal of an injury from another, I am unable to guess; unless, indeed—and if the right hon. gentleman acts with this view, I am sure he will find himself disappointed—it is by confounding the evils which the Dissenters complain of, to induce them to make common cause with the Catholics, for the removal of religious disabilities in general.

So much for religious liberty! I will now say a word as to the right hon. gentleman's alleged advocacy of civil liberty; and must own, that I have heard the declaration with surprise, if not with astonishment. When and where has the right hon. gentleman so shown himself? If my recollection of the events of the last thirty years do not fail me, it will be found, that there has not been an invasion of civil liberty during that time, of which the right hon. gentleman has not been the prominent supporter. I will not dwell on his own opposition to parliamentary reform, on the ground of which some of my noble and right hon. friends have been accused for giving their support to the new administration; for that is not a question to which they are pledged, nor on which—the party to which they belong are agreed. As to the noble marquis (Lansdowne), in whom I am disposed to place every confidence, I do not recollect to have heard him ever advocate that measure in his place in parliament; but I believe that, if the noble marquis be a reformer, he is the most moderate of all moderate reformers. The question of parliamentary reform is not, I admit, so uniformly supported, not has it at present the public opinion so strongly in its favour, as that it should be made a sine qua non in forming an administration. There was a time when the expression of my opinion in favour of reform exposed me to obloquy. But I still adhere to the opinion which I always entertained on this subject. I have always maintained, that reform ought to keep pace with the march of human intellect—that its progression should be gradual; and though, at one time, the advocacy of such opinions might have been designated as traitorous, yet it is a consolation to me to find, that many of those who were most opposed to me on this subject are now adopting the same course on many important questions.

It is not, then, my lords, I repeat it, because of the right hon. gentleman's opposition to parliamentary reform, that I object to him as one opposed to civil liberty. But I cannot conceal from myself the fact, that, within the last few years, very many laws have been passed hostile to that liberty; and to each and every one of these the right hon. gentleman has given his efficient support; and, unless the right hon. gentleman can remove his steps, unless he can erase some of them which still remain on the Statute-book, I can have no confidence in him, as the friend of civil liberty. There is nothing more easy than to bring the opinions of the right hon. gentleman on this subject to the test. There is now existing on the Statute-book one of those invasions of civil liberty to which I have alluded. It is that which makes the second cooption for a political libel subject to a sentence of transportation—the most flagrant violation of the liberty of the press which has been attempted in modern times. Now, this is a matter capable of instant proof. Let my noble friend (the marquis of Lansdowne) easily bring forward a motion for the repeal of this act, and he will find in me a ready and zealous supporter; but I fear that he will, at the same time, find in the right hon. gentleman an able and zealous opponent. It is on these grounds that I feel myself bound to declare, that I have no confidence in the administration of the right hon. gentleman. The sentiments I now utter are my own. I speak only for myself; for I regret to say, that I am now almost without political connections of any kind. I own that I feel some distrust of my own judgment in finding myself opposed to some of my noble and right hon. friends, with whom I have hitherto concurred during the whole of my life; but, if it be a consolation to me to know, that there are some whom I highly value, who still continue to think as I do, it does not diminish my regret at being compelled to dissent from so many with whom I formerly acted, and whom I still continue so highly to respect. I now feel myself almost a solitary individual. Nothing can be further from my intention than a union with the party in opposition to government; for, from that
party, on most questions, I differ as widely as the poles are asunder. Neither can I join those who support the administration; in the construction of which, as an administration, I have no confidence. The only course left to me is to adhere to those principles which I have professed throughout life; and, when I find that the measures of government accord with those principles, they shall have my support. When they introduce matters repugnant, in my opinion, to those principles, I will oppose them: but I deprecate the idea of joining the standard of a party, as a party opposed to government. Those who have done me the honour to attach any importance to my opinions are aware, that I have, for some years, been withdrawing myself more and more from a direct interference in the politics of the country. As long, however, as I do remain, I am anxious to keep in that situation, in which I can do what I consider the most good. To take a more active part in public business, is quite out of my intention. "Non satis ostes, non mea." With the noble marquis I concur in most questions; and to him I will, on every occasion, give my support, where I conscientiously can; but, at the same time, I must declare, that I will never shrink from opposing any, and every measure which I cannot honestly and consistently approve. I shall not, however, again embark upon the troubled sea of politics, upon which, all my life, till now, I have navigated — God knows, with how little success; but, at the same time, with the consolation of knowing that I have done so with an honest and approving conscience. —The noble earl sat down amidst loud cheers.

The petition was ordered to lie on the table.

HOUSE OF LORDS.

Friday, May 11.

GAME LAWS AMENDMENT BILL.] On the motion for taking the report of this bill into further consideration,

The Earl of Malmsbury said, that his feelings with respect to this bill were very strong, that he wished to state his sentiments to their lordships. He was aware, that a strong feeling prevailed against the present system, on account of its being supposed that it promoted the increase of crime. Admitting that there was an increase in the number of crimes, he thought that increase arose from other circumstances rather than the Game-laws. A noble friend of his, not then in his place, had taken the same view, and he should beg leave to elucidate it by some returns which had been laid on the table. Those returns related to crimes generally; and some of the convictions went as far back as 1810. The account, however, of the number of convictions under the Game-laws only went back to 1817. He could only compare the number of convictions, therefore, under these laws, since this year.

In 1817, the number of convictions under the Game-laws was one hundred and twenty-seven; and in 1826, the number was one hundred and twenty-eight. There was, therefore, in these ten years only a difference of one. He was aware that a number of convictions under the Game-laws were summary; but he thought their lordships might deduce from the convictions at the assizes the number of summary convictions; and these, was, therefore, no reason to believe, that the latter had increased more than the former. But, if there was no increase of crimes under the Game-laws, there was an increase of crimes under other laws; and if other laws were the cause of an increase of crime, those other laws must bear the blame for the increase under them. As to horse-stealing, for example, it had increased very much. In that part of the country where he lived, horse-stealing had increased so much, that this species of property could hardly be secured. In 1810, the number of convictions for horse-stealing was fifty-eight; while in 1826, the number was one hundred and twenty. Thus, while the convictions under the Game-laws had increased by only one, the convictions for horse-stealing had more than doubled. — The crime of simple larceny approximated very much to the crimes under the Game-laws; and he would next call their lordships' attention to the convictions for larceny. In 1810, the convictions for simple larceny were two thousand two hundred and sixty-nine; but in 1826, they were eight thousand and eighty-one; so that, in this case, the increase had been quadrupled. He was justified, from these documents, in supposing, that there were other causes at work, promoting the increase of crimes than the Game-laws; and one or two he would briefly mention to their lordships. A great part of the increase of crime was owing, he thought, to the distressed state of our
late been committed were of a different description from those committed formerly. They were young, industrious, healthy men, who were in distress and in want of employment. They had been reduced to work on the roads for half a crown a week; and, was it extraordinary, that men in that reduced state should have recourse to unlawful measures, to obtain the means of subsistence? He was borne out also by another return, in thinking that the Game-laws had not caused an increase of crime. He had obtained a return from the county of Suffolk, in which game was very extensively preserved, which would illustrate his opinion. This return was from the governor of Bury gaol. He found that the commitments in 1817 were twelve, and in that year the price of wheat was 94s. per quarter; the next year, the number of commitments was eighteen, and the price of wheat 83s. In 1822, the number of commitments had increased from twelve, in 1817, to seventy-eight; in and during the intervening period, the price of wheat had been falling from 94s. to 43s. per quarter. He did not mean to assert, that the low price of wheat caused the increase of crime; but there was some analogy and some connection between them; and there was something in this connection which made him believe, that the low price led to want of employment, and both together led to the increase of crimes. Another circumstance which he thought had led to the increase of crime, was the increased consumption of spirits in the country. During the last three or four years, there had been several atrocious crimes committed, and most of those crimes had been committed under the influence of intoxication. But he did not rest this part of his statement on these circumstances. There was a public document which proved the increase of the consumption of spirits. In 1824, the consumption of British spirits was fifteen millions of gallons; in 1826, the consumption was twenty millions of gallons. This was an increase of one fourth; which was, he thought, enormous. But this increased consumption was not confined to British spirits. Great inducements had been held out to consume rum; and great advantages had been conferred on the owners of rum. What was the result? Why, the consumption of rum had increased in the proportion of five to eight. This increased consumption of spirits was, he thought, one cause for the increase of crime. But, whether this was the case or not, it was clear, from the returns, that the increase of crime was not occasioned by the Game-laws. He would mention another circumstance, which was curious, as shewing that theory and practice did not always agree. There had been a great increase in the number of juvenile offenders; when it was expected, that the extensive education now adopted would improve the rising generation. In fact, however, the rising generation were more immoral and more vicious than preceding generations.

By Mr. Capper's Report, in 1824, it appeared, that out of four thousand prisoners; more than one third were under twenty years of age. There was, he believed, a great difficulty in ascertaining the causes of the increase of crime; and the latter statement was to him a proof that these causes were not yet well ascertained. With respect to the bill before their lordships, he must say, he was at all times loth to make a total change in any system, though he was quite willing to look at the evils caused by any system, and willing to lessen them. He thought he had good ground for opposing this bill. If these laws were, as they were denominated, oppressive and unjust, it was impossible, he thought, that they should have been so long suffered to exist. When he remembered the number of great men who had presided over the destinies of the country, and who had resisted every kind of oppression, he could not believe that they would have allowed a single law, much more a whole system of laws which were unjust and oppressive, to remain on the Statute-book: To the bill itself he had a great many objections. It might be desirable to legalize the sale of game; but when their lordships came to carry this desire into execution, they found it surrounded with difficulties. He considered the bill likely to increase preserves of game; at present it was preserving game which made the Game-laws at all productive of crime, and this bill would increase this evil. At present, no persons preserved game but gentlemen of large landed property; but, if this bill passed, tenants and yeomen would become preservers of game, and the evils would be infinitely increased. The noble lord who introduced the bill, seemed to think only of large, well-defended estates; but, in many parts of the country,
property was much subdivided and inter-
mixed, and in such cases the bill would
add much to the difficulties and evils that
existed under the present laws. Gentle-
men now went out shooting, by sufferance,
on the property of these small farmers,
and gave them a brace or two of partridges,
and both parties were satisfied. But, if
this bill passed, the whole would be reduced
to a question of pounds, shillings, and
pence; every man would be anxious to
make what he could by game, it was a
new species of property created by this
law, and there would be no more shooting
on sufferance. The bill would be of no
benefit to any body, except a class of men—
who were very respectable in their way—
he meant country attorneys. With respect
to the inducements which the present
system held out for gentlemen to reside on
their estates, he thought they ought to be
encouraged, by such inducements, to reside
in the country. He confessed that he
was attached to old customs, and might,
perhaps, be called bigotted; but he would
much rather legislate strongly, and would
not mind making a harsh law, if by it he
could secure the residence of that valuable
class of persons, the country gentlemen,
on their property. It was too much to con-
demn them to the solitude of the coun-
try, and deprive them of all pleasure while
remaining there. The physical character
of our gentlemen was, he thought, con-
cerned in this bill. The officers for our
army were obtained from this class; and
he was sure that young men who went out
shooting and hunting, who were exposed
to all kinds of weather, and who rode every
day twelve or fourteen hours, would make
better officers than those who spent their
time lounging in the streets, or sauntering
during the day from one club-house to
another, and passing their nights where
they ought not to be passed. He objected,
therefore, to the word "politic" introduced
into the bill; for he did not think the
proposed alteration politic by any means.
The character of our country gentlemen
was of great importance. Perhaps he
ought to allude to the libels which had
lately been directed against the country
gentlemen. For two years, a system of
libels had been directed against them,
which might be traced from the daily press,
up to works which were the production of
the greatest talents in the country. There
was a regular system to run down country
gentlemen; and it pervaded all classes.

You could not go into the city but you
heard the lord mayor pronounce a con-
demnation of the Game-laws; while his
lordship committed the fisherman to gaol,
who employed nets of an improper size,
and destroyed the white bait that was to
feast his lordship and his brethren in their
solemn excursions down the river. He
objected also to the bill, as making the
crime of trespass more difficult to be de-
fined. The bill spoke throughout of game,
and all its clauses applied to game; but
he would ask, what was to be done when
a man trespassed on the land of another,
and shot snipes and woodcocks? If
he was not himself a sportsman, and therefore
spoke disinterestedly; but he thought the
bill would put an end to fox-hunting.
Preferring the present system to that which
was proposed, he would move, "that the
Report be taken into consideration this
day three months."

The Earl of Abingdon opposed the bill,
and observed, that some laws were represen-
ted as oppressive and unjust, which,
in reality, were not nearly so much so, as
those by which it was proposed to amend
them. Many noble lords were in the
habit of describing the better sport afforded
by the pursuit of game in their younger
days, than at present; and among these,
he believed, he might enumerate the noble
and learned lord (Eldon) who lately occu-
pied the woollock. It was not by the
enactment of measures like the present;
that sporting could be improved. He was
for adhering to those institutions which
had stood the test of time, and were found
beneficial in their effects. Noble lords
might desire to dig a pit, and shovel into
it the fruits of by-gone experience; but
he would vote for keeping a little expe-
rience above ground, and was for throwing
the present bill out of their lordships'
House—or, if by no other opening, out of
the window. He would do so, because
he felt convinced that, so far from effect-
ing a decrease in crime, it would go far to
complete the demoralization of the coun-
try, as it regarded the conduct of the lower
classes of the agricultural population.

The Earl of Eldon wished to say a few
words upon this subject, the more espe-
cially as, in the days of his youth, he had
been, probably as great a poacher as any
other person upon the lands of the noble
lord who had just resumed his seat, and
to whom this was, perhaps, the best mo-
ment to offer an apology [a laugh]. He
thought he should hardly be performing his duty, if he permitted this bill to pass through the House without pointing out some objections which he had to the clauses in a legal point of view. Some of those clauses were so worded, that, if they were not amended, they would be productive of infinite mischief. One of the clauses to which he objected was that which regarded the apprehension of poachers; and when their lordships recollected how very little would reduce the crime of murder to that of manslaughter, he thought they ought to pay some attention to this matter. It seemed to him, that, as the bill was now framed, it was calculated rather to increase crime than to prevent it; while the assembling of game in large quantities within small limits, it did not pretend to touch. He hoped long to enjoy the old mode of sporting, but if their lordships did nothing to prevent the present practice of bastinado shooting, he should be disappointed in his hope; and they would do nothing to diminish the amount of crime. The wording of the clauses he objected to might be amended, but he certainly should oppose the bill in any manner in which it might be altered, unless it went to destroy that kind of sporting to which he had alluded. His lordship then alluded to an opinion very prevalent, that those who started game on their own land might pursue it upon the land of another, though they were not at liberty to start it there. Of this opinion he had once experienced an instance. He had gone out shooting upon his poney; and, when he had been out some time, he heard a shot from behind a hedge, near which he had gone when in the pursuit of his game. As the field from whence the shot proceeded was in his manor, or reputed manor, he proceeded thither, and found two gentlemen, each attended by a servant. He inquired of those gentlemen how it was they came to trespass upon that manor; when they answered, that they were no trespassers, as they had started the game on another manor, and pursued it there. Upon hearing this, he turned lawyer, and told them they had no right to do so; but the only reply he received was a desire that he would go to his master, lord Eldon, and inquire about that matter, when he would find himself mistaken. He acquainted the gentlemen with the fact, that he was himself lord Eldon, and that such was his opinion upon the matter; and he added, that, as he had given them a little disagreeable law, he would then give them an agreeable day's shooting, which he desired them to take at their pleasure. Now, he wished to know in what sort of situation he should have been, had he attempted to do that which this bill empowered him to do; namely, to take these men into custody? When men met men armed, as they generally were when engaged in the pursuit of game, it became an important matter clearly to settle, in what way the offending party should be dealt with; and by so doing to avoid hearing of such lamentable cases as had occurred during the last assizes; and to prevent men from being implicated in the guilt of murder, before they well knew what they were about. If the House should determine on passing the bill, he had no objection to assist in amending it; but he could not vote for it himself.

Lord Dacre said, he should give his support to the bill, which he was convinced would go to diminish the amount of crime. He admired the principle of it; which, to his mind, seemed founded in perfect justice—he meant that principle which gave to a man who caught game on his land destroying his property the right to kill that game. That principle admitted a right which he thought belonged as strictly to the poorest cottager in the kingdom, as to the proudest peer in that House. Some noble lords had spoken of the present laws, as if they did not increase the amount of crime. He could assure the House, that returns did exist, which proved, beyond all question, that they had increased the amount of crime. In one year, no less than one thousand three hundred persons had been imprisoned for infractions of the Game-laws; and among them were probably men who were thus introduced for the first time to crime and profligacy. They went in guilty of no other offence than that of poaching; and they were turned out of gaol accomplished and decided thieves. The problem of the unprecedented increase of crime was hardly to be accounted for in any other way than by supposing that the most enterprising youth among the peasantry, induced by the temptation of advantage, and not restrained by the belief that they were violating the laws of property, engaged in the practice of poaching, for which they were thrown into gaol, mixed with the
worst of felonies; and, when turned out, proved to have been seduced by their profligate companions, to devote their energies to the practice of crime. Now, he was convinced that, if this bill was passed, that effect could not take place; for the peasantry would respect that property in game, which they found vested equally in all the owners of the soil, as much as they respected the property of farmers in the fowls of their farm-yards. It was impossible, in the present state of society, but that the vast riches of personal property would command the luxuries which the present law sought to place beyond the reach of individuals who were unqualified.

He understood that it was impossible for any man to carry on the business of a poulterer in London, unless he consented to transgress the laws of his country for the accommodation of his customers, by procuring game for them.

The Earl of Harrowby fully concurred with the noble lord in the grounds on which the present bill was entitled to support. The aim was to effect two things; first, the comparative increase of crime within the last three years; and secondly, that the positive amount of crime was hard to be accounted for on any other principle than that of the existence of these laws. The second fact was fully to be accounted for, on the ground stated by the noble lord. With regard to the first, he had carefully examined the returns, and he found that, in the last three years, there had been imprisoned no less a number than four thousand five hundred, committed solely for offences against the Game-laws. Now, upon looking back to the years 1810, 1811, and 1812, the number only amounted to four hundred and sixty. The increase, therefore, had been nearly tenfold within the last fourteen or fifteen years. Great as noble lords might think was the amount of increase in the other branches of crime, he might defy them to prove that it was as great as in this. He thought it was impossible, after the proof thus obtained, that noble lords should hesitate in performing a moral duty, in doing all they possibly could to put a stop to the continuance of these crimes, which he contended, were a consequence of the present system. The crimes to which he alluded were only crimes by the authority of law, and had been created for the indulgence of a particular class of persons. They were crimes, too, that without moral turpitude condemned men to a prison and their families to wretchedness; and thus burdened the parishes of the country with grievous expenses.

The Earl of Falmouth thought it would be very easy to amend the bill, as to the description of the required qualification; but that was not the only difficulty he felt. He objected to the bill itself; and with respect to what had been said regarding the right of all men to kill game found on their land, he thought it would be most dangerous to acknowledge such a right; which certainly was not required on the ground of compensation, for nobody would deny that it was always afforded to the poor occupier of land by the wealthy man, whose game had injured the other's property. He thought the best mode of preventing the evils now complained of would be, to give to the present possessors of game the right of empowering others to sell it.

Earl Grosvenor was of opinion, that this bill ought to pass into a law, and that the country owed infinite obligations to the noble lord who had introduced it. He would not say that it would put an end to the evils of the present system; but he believed it would, and he should therefore support it. It was impossible to draw up such a bill without falling into technical errors, and the wonder was, that there were so few in the present bill.

Lord Wharncliffe acknowledged, that he was not certain that this bill, if passed into a law, would put an end to poaching; but he believed it would have that effect, and the want of certainty in this respect did not appear to him to be an objection to it. All such laws were matters of speculation, until after their effects had been tried. He thought it would be utterly impossible, wholly to do away with poaching. As long as game was to be found there would be poaching, in the same way that as long as there existed property there would be thieves; but it was the duty of the legislature to diminish both as much as possible; and this, he believed, might be effected with regard to poaching, if the House would pass this bill, which he thought to be founded upon just and rational grounds; while he did not hesitate to say, that the existing laws upon that subject were both oppressive and unjust. The technical objections to the bill could be amended in the committee; and it was strange, that,
among all the objections that had been brought forward, not one noble lord had thought fit to declare it unnecessary, by defending the present state of the law. They all seemed to admit, that the present laws were anomalous and absurd; and to that he would add, that they were oppressive. He had brought in this bill to remedy those objections. He had gone to the possession of land as the first standard of qualification. He might be asked, if every man who possessed a small quantity of land should have liberty to shoot the game found upon it, and his answer was in the affirmative. At least, such would be justice; but the limit of the qualification, in the extent and value of the land that was to give that liberty, might be discussed in the committee. His lordship remarked upon the absurdity of the present system, with regard to convictions, and with respect to the safety they afforded to one man, if he was willing to inform against another. Such laws were ridiculous in themselves, and only calculated to make mankind unite in feeling with the poacher, instead of being ranged against him. He wished to get rid of such absurdities in legislation. He admitted, that some parts of the bill might require reconsideration; but he had no doubt, with the assistance of the noble and learned lord lately on the woolsack, and that of the lord chief justice of the Court of King’s-bench, whom he was glad to see amongst them, all the technical difficulties could be overcome, and the qualification could be so described as to give the right of shooting game to the person for whom he intended it—the owner of the soil. He would merely add, that those who were not owners of land, and who wished to sell game, should take out a certificate in the same manner as at present.

The House then divided; when there appeared; in favour of lord Malmesbury’s Amendment 30; Against it 29. The bill was accordingly thrown out.

HOUSE OF COMMONS, Friday, May 11.

NEW ADMINISTRATION—TEST ACT—SUPPLIES.] Mr. Beaumont, seeing the Secretary of State, for the Home Department in his place, for the first time, wished to ask him whether he considered his appointment only provisional, or in what light he viewed his nomination to the office he now held?

Mr. Sturges Bourne replied, that he held the office of Secretary of State for the Home Department as long as it pleased his majesty to retain him in it.

Mr. Beaumont expressed himself not at all satisfied at this reply, and stated, that, in consequence of it, he felt himself bound to bring before the House a motion respecting the manner in which the office of Secretary for the Home Department, and other offices were at present held.

An hon. member asked lord J. Russell, whether it was his intention to bring forward his motion for the Repeal of the Test and Corporation acts?

Lord J. Russell said, he was perfectly ready to answer the question which had been just put to him. He had been applied to, by many of those respectable persons who were aggrieved by the Test and Corporation acts to bring forward a motion for the repeal of those acts, which he most willingly undertook to do; and gave notice of a motion accordingly. He had been informed, that, since the late changes in the administration, many of the leading men among them were consulting whether it might not prove injurious to the cause of civil and religious liberty generally, to urge their claims at this present moment. He had taken measures to ascertain what were their real sentiments on that head; As yet he had received no regular answer, but he understood that the opinion of the most of them was, that their case should be fairly stated to the House, and the public; but that, as to the time when it should be brought forward, they were desirous to consult those who were friends to their cause, in order to ascertain their sentiments about the time which would be best. He thought these sentiments did them the highest honour, since they thereby preferred the cause of general liberty to any partial considerations. For his own part, he thought that, even with reference to the cause of general liberty, civil and religious, the point ought to be moved on the day which he had fixed for bringing it forward, and he therefore was perfectly willing to persevere in it on his own responsibility, although he would not proceed without their consent. Unless therefore, he should hear from them a decided opinion to the contrary, he would bring forward his motion for the repeal of the Test and Corporation acts, on the 7th of June next.

Mr. Herries moved, that the House rec-
solved itself into a committee of Supply.

On the question, that the Speaker leave the chair,

Sir Thomas Lethbridge said, that it was his intention to detain the House with only a few words. He would only ask the Chancellor of the Exchequer a few questions, which he might answer or not, as he pleased. But, if answer the right hon. gentleman chose to give, he trusted that it would be couched in language conformable to the usage of former ministers on such occasions. He trusted that he would answer in such a tone and manner as became the ministers of the Crown when they were questioned by the members of that House, who felt it their duty to put questions to those ministers from time to time, according to the usage of Parliament. He had quite as good a right to put questions to them, as they had, to give, or to refuse to give, answers as they thought proper. His first question had been anticipated by the hon. member who had put a question to the Secretary of State for the Home Department, relative to the terms and conditions on which he held his office. The answer of the right hon. Secretary, if he understood it correctly, was, generally, that he held the office as long as it pleased his majesty to retain him there. It was true, that no man could hold an office of that description on any other terms; but still it was evident, that the answer was by no means what the hon. member who put the question expected. It was certainly of the greatest consequence that some such motion should be brought forward; considering the unprecedented predicament in which those ministers stood, who, as there was reason to presume, held their offices only provisionally. That question, then, having been already put, he had no occasion to say anything further about it. His second question was, whether the office of Secretary of State for the Foreign Department was held temporarily or provisionally, or was intended to last as long as that of the right hon. the Chancellor of the Exchequer himself, or the administration which he had formed, or was forming. If the office was held only provisionally, it was surely a circumstance of the most unprecedented nature; and, if the example should beimitated, it would lead to a complete alteration of the whole course of conducting the affairs of government in this country. It was for that reason that he had on a former occasion, objected to the granting of the supplies, because he could have no confidence in a government thus constituted; and when he had also suggested that when a member of parliament had no confidence in the administration, his best method would be to oppose the granting of the supplies. He had resorted to that method on the first opportunity that occurred; but had been told by a right hon. gentleman, that the question for postponing the going into a committee of supply was not the legitimate opportunity, but that the matter ought to be delayed until it should be moved, that the House should go into a committee for immediately granting a supply to his majesty. The Chancellor of the Exchequer had afterwards said, that he would be the most convenient time for those who, from loyalty to his majesty, wished to stop the supplies, to make a motion to that effect. Now, he had always felt the warmest loyalty to his majesty, as every good subject ought to do; and he should be sorry if he could be thought capable of taking any course which might have the least appearance of disloyalty. But a member of parliament had a right to object to the supplies; without being liable to any imputation of disloyalty, when he had no confidence in the existing administration; and this course had been followed, not very long ago, by the right hon. member for Knaresborough, who had felt himself called upon to say, that he would not vote for the supplies, because there was no minister then in existence, to whom the supplies could be properly trusted. He therefore maintained, that no just imputation could be cast on his loyalty for having taken the course which he did; and he would now take that course, if he had any chance of being supported by the House. He would do this, because—assuming the government event to remain as it appeared—he thought it his duty to the country to resist a coalition so extraordinary, and, he was almost tempted to say, so unconstitutional, as that by which it had been formed. He knew that what he did exposed him to the attacks of the vast phalanx of talent which was marshalled on the other side; but he would say, that the alliance between the right hon. gentleman and the hon. individuals who had joined him, was contrary to every principle that public men in this country had been accustomed to hold dear. The hon. members who had quoted
that side of the House from which he was speaking had made a sacrifice, if not of their honour, at least of their political principles; and he would, and did, hold them up to the country, as men devoid of that high sentiment of faith and steadfastness which had been used to characterise, in England, such persons as aspired to serve his majesty in high official situations. The right hon. the First Lord of the Treasury had made some disclosures himself, which threw considerable light upon this coalition; and the public mind was becoming disabused, as to the blame which it had been taught to throw upon those who had resisted it. The right hon. gentleman had made a speech, which produced—as his speeches always must produce—a considerable impression upon the House; but there were members in the House, notwithstanding its ingenuity, who would not be satisfied with it. It might be that he (Sir T. L.) was more obstructive than many people, but he was one of them. The eloquence of the right hon. gentleman would not persuade him, that a course had not been taken in the forming of the present administration, which it would be unpleasant to the right hon. gentleman, perhaps, to hear described, and equally unpleasant to him to name. In his view, the whole thing had been a treaty for peace, between the right hon. gentleman and the hon. members who now sat behind him; and a treaty, if he was not mistaken, of no very recent date. He believed that, for some time past, an understanding had existed, that a time was approaching when the hon. members who were then sitting on the side of Opposition might have an opportunity of taking office with some who sat on the other side. Perhaps he might be asking that which he had no right to ask; if so, the right hon. gentleman would refuse to answer; but he would put the question to the right hon. gentleman, or to any other gentleman on the opposite bench who was competent to give him the information, whether there had or had not been a treaty in existence, during the existence of the late ministry, between the right hon. gentleman and those who were called the leaders of the Whigs, for their coming into office, or supporting the government of the right hon. gentleman, whereon he might be able to compose one? This was a point which, for the honour of the right hon. gentleman, ought to be cleared up. There were reports abroad; and he thought that, where they existed upon particular subjects, they demanded contradiction: because, if this treaty, or negotiation, had been on foot before the dissolution of the old government, then what became of the difficulty in which the right hon. gentleman had suddenly been placed? If, at the time when the right hon. gentleman had waited on the king to receive his commands for the forming an administration, he had an offer from the Whig party to condescend with him in his pocket, his view of the value of the government would be more decided, perhaps, even than it was. The question went to this point—had the right hon. gentleman in his possession, at that time, an offer which he neither divulged to his then colleagues, or to the illustrious individual who was intrusting him? This was certainly a question which deserved an answer; and, eventually, the right hon. gentleman would thank him for having given him an occasion of replying to it. The right hon. gentleman had described to the House his situation in the king's closet, when he went to receive his majesty's commands for the forming a new administration, and the difficulties which the resignation of his colleagues exposed him to. This, too, was an administration to be formed upon the principles of that of lord Liverpool; but what became of the whole affair, if it appeared, that, before the right hon. gentleman presented himself to receive those commands, he had an arrangement which rendered it impossible for him to execute them? The House would not forget the right hon. gentleman's own account of the interview that he had with his sovereign; the sudden check that, from the abdication of the other ministers, he had received, and the rapid completion of the arrangement that followed; but, he (Sir T. L.) disapproved and suspected that haste, and believed that the king had been hurried into an alternative, in which circumstances did not justify the placing him. But the king's commands had been, that the right hon. gentleman should form an administration upon the plan and principles of that of lord Liverpool. When the right hon. gentleman became prime minister, had he formed such an administration? Not at all. He had formed one of a totally contrary spirit and character. He had always felt inclined to support the right hon. gentleman. His talents and principles, in many points, had fairly commanded his support. But that disposition
New Administration—Test Act—Supplies. May 11, 1827.

was now over; when he saw the right hon. gentleman coalescing with parties who, upon the most important questions that could affect the interests of the empire, were, or had been, vitally opposed to him. The questions upon which the right hon. gentleman and his colleagues had been opposed, were endless. What would be the course when any of them came on? There was but one public question upon which they had been agreed—Catholic emancipation; and what had been done with that? The very moment they got into power, it was hung up. He knew that it was flung in the teeth of himself and those who acted with him, that they—the determined enemies of the Catholics—were gulling them, as it was called, by affecting to speak in their behalf. It was true that he was an enemy of the Catholics; but if he was a determined, he was at least a fair and open one. If there was any gulling in the matter, it was not on his side. He had never held out hopes which he did not mean to realize; if the question was not brought forward speedily, every member in that House would not be in the same situation. The fact was, that the right hon. gentleman, and hon. gentlemen who had clamoured so loud about the question when they were out of office, did not dare touch it now that they were in. Let the House observe whether they would dare to bring it forward, in its fair and accustomed shape. If they came with any shift or proposal of securities, the House would not be imposed upon by such a device; in fact, they gave up the question. When any one mentioned securities the hon. gentlemen used to laugh and say, 'Securities! what securities can they give you?' He agreed that they could give no securities that were worth having; and he hoped, therefore, that the House would hear nothing of securities as a last shift now. But he would leave the question of Catholic emancipation—upon which the new ministry was agreed—and turn to those upon which they not only had differed, but avowedly differed still. It was scarcely three nights since the right hon. gentleman had declared, that he should resist the questions of parliamentary reform, and the repeal of the Test act. What could those who sat behind the right hon. gentleman think of that declaration? If he were asked, then, to give his confidence to an administration of such heterogeneous ingredients, his answer would be, that he could not consent to do so. And if he could not do so, who was to assume the right of abusing him, because of his giving vent to opinions and feelings which he honestly entertained?

He would say again, that the circumstances under which this coalition had been formed were most extraordinary and unprecedented. He could only account for it by supposing it to be the work of the right hon. gentleman, of whose persuasive eloquence, and tact, and talent in managing parties in that House, he had never, in the course of his political life, seen any resemblance. To use the expression of the hon. member for Stafford, the right hon. gentleman had actually succeeded in un-Torying Toryism, and un-Whigging Whiggism. From the bottom of his heart, he did think it was true, that the right hon. gentleman had un-Toryed himself; and if his new friends should continue to act with him, it was quite plain they must un-Whig themselves. The hon. baronet, the member for Westminster, had talked with composure of doing away the old distinctions of Whig and Tory, since they had, as he declared, ceased to exist otherwise than in name. So that it would appear as if they wanted to let it sink into chaos; never to be heard of again. If he had any quarrel with the new arrangements, it was because of this mixture of the two parties whom it was for the welfare of the country to have discriminated. And again, if Whig and Tory were at liberty to combine, what was to be said of the friends of the people? Where was that hon. baronet sitting now? Behind the Treasury benches. He did not find fault with him for acting as he had done, since he had stated the motives of his conduct, referring them to principles which must always command respect. But what if these principles were to be thrown overboard, in the course upon which the new government might steer? He would say it again, that those hon. gentlemen had taken their new posts too hastily; and to that hon. baronet he would say, that he hoped he might not have reason to repent his having left his seat on the Opposition benches. The right hon. gentleman had told the House, that he would not go at much length into the subject of the finances. It was intended to make a very short business of it. And it was with the concurrence of the Whigs and the friends of the people, that they had been left from early in November to the 11th day of May, without one jot of intelligence upon the revenue and—
the finances. The late Chancellor of the Exchequer, too, had been removed, in this new hurry-burry, from the place where he had obtained the highest credit, and tossed up into a higher place. This question was of importance. At present they knew nothing of the matter. It was extraordinary that a motion of so much importance should be again hung up.—The chief purpose which he had in rising was to ask questions, with the statement of which he had set out, and from which he had been led into a larger field of discussion than he had anticipated. He hoped that the right hon. gentleman would have no difficulty in stating to him, whether the noble viscount, now holding the high and responsible situation of Secretary of State for Foreign Affairs, held it as a permanent measure of the new government, or only as a locum tenens of another noble lord, who was, according to common report, to take that station. Secondly, whether any communication had taken place between the right hon. gentleman and those other gentlemen and noblemen, as to the accession of any of them to office, on, or before, or near to, the period of the dissolution of the old administration and the formation of the new. He hoped he should receive the answers to these questions without any mixture of anger, or of any thing tending to insult; for he must be allowed to say, that there had been a little too much of that tendency shown from one side of the House. As long as they conducted their proceedings in a manner becoming their rank as English gentlemen, and while they preserved temper and good humour in their language, things would go well, but not afterwards. He would give up no jot of his opinions, neither would he enforce them with rudeness; and he did hope that he should not experience any such treatment, merely for doing that which he felt to be his duty. He would not divide the House upon the question of going into the committee. That had not been at any time his intention; but he invited any other member who might see reasons for doing so, to seize upon this as a fit opportunity to express whatever grievances he had to complain of. He hoped the House would forgive him for the time which he had taken up, and that they would give him credit for having no earthly motive, but that of doing his duty as a faithful member of the House of Commons.

Mr. Canning promised that he would not detain the House many minutes in answering the two questions which the hon. baronet was so anxious to have solved; and, in doing so, he would try to observe that courtesy which he conceived to be due to the hon. baronet, by replying to him in a tone and manner, which he should never think it necessary to use towards those who put similar questions with a feeling merely hostile. He would distinguish clearly those questions, of which, as he understood, the hon. baronet had given the customary notice, from those which he had answered on a former evening, without receiving any such notice. He must take leave, before answering, however, to enter one caution, for the advice of the hon. baronet. His speech, so far from being confined to the questions which he had proposed, had laid the foundation of a wide debate. If this were done now with a view of preventing him from speaking in the course of the discussion which should arise this evening, he hoped he might not be considered as exhausting his privilege. He would now proceed to the two grains of question which were included in the hon. baronet's bushel of declaration. First, as to the question concerning the formation of the ministry, which he could answer plainly, courteously, but he feared not satisfactorily; because the same question had been put to his right hon. friend: and, as notice had been given of a motion on the subject for a future day, he would not utter one word upon it. The hon. member for Stafford had taken a more manly course, and he thanked him for it: it was much better than those disgusting modes [cheers]—he used the word advisedly—those disgusting tricks, by which it was intended to get rid of highly important questions. He reserved himself for the opportunity which would be given by the motion of the hon. member for Stafford. Till then, neither courtesy nor taunt should extort one single word of explanation from him [cheers]. The second, and most important question was—"Did any negotiation take place at, or during, or about the time of the dissolution, or reconstruction of the administration, between him and certain persons, whose support he had the happiness to enjoy." Notwithstanding the objection which the hon. baronet felt the other day at hearing the monosyllable "Yes" for an answer, he now hoped that he would not take it uncivilly if his reply
were "No" [laughs]. In saying that, he felt that he should not be doing justice to others, if he did not make it known that he had received an intimation, if he would take office, that, from a certain number of persons, not very numerous, but of no inconsiderable weight, he would receive an entirely disinterested support [cheers].

Not that any of them bargained for office; they tendered, unconditionally, a cardinal and disinterested assistance. He would be doing still more injustice, if he did not say, that, driven to straits, as he certainly had been, a question had arisen upon the subject of succession to office; which question had been raised by himself, and not by any of those gentlemen. This was his answer to the second question. The hon. baronet wondered how he could agree with any individuals of a party with whom he had never agreed upon any question except the Catholic question; and with whom he differed so widely upon the question of parliamentary reform. The hon. baronet stated, that, for twenty years past, up to the time of the present arrangements, he had always felt towards him (Mr. Canning) the greatest respect and the greatest confidence. But then it appeared, that he had, during the whole of that time, differed quite as much from the hon. baronet on both those questions. In the year 1822, when he introduced the bill for emancipating Catholic peers, the hon. baronet had cautioned the House against being led away by what he was pleased to call his (Mr. Canning's) persuasive powers of eloquence; and declared, that he had been seduced by them, two nights before, to vote against parliamentary reform, to which he had always before been inclined [cheers].

This was the person who was chosen, in the cast of parts for this night's exhibition, to object to a government which had been joined, without any views of interest, by a few, though very important persons; because, upon one of those two questions, some of them differed from him in sentiments! The hon. baronet had very fully discharged the duty which he had undertaken; and he hoped that he also had as satisfactorily to the House, answered the hon. baronet's two questions. As to the first of them, or as to any particulars concerning the present or the future arrangement of the cabinet, he preferred the course taken by the hon. member for Stafford, who was above the artifice of trusting high questions of policy by those weighty driblets of discussion, but had boldly proposed to open the subject to the deliberation of the House in due form. He had no doubt, that, whenever the time should come, the result would be entirely satisfactory to the House, and a full vindication of the government.

Mr. Beaumont disowned any association with any other person in the notice which he had given.

Sir T. Lethbridge said, that the right hon. gentleman had used the words "cast of parts for the exhibition of the evening:" he could only say, that there was no concert between himself and other members as to what he had been doing. Mr. Canning said, he meant no offence by coupling the hon. member for Stafford with the hon. baronet. But, since it was displeasing, he would take care, in future, to separate them.

The Marquis of Townshend said, that the real question which they had to decide was, should they give a patient hearing and fair trial to the administration formed by the right hon. gentleman, in obedience to the commands of the king? For his own part, he had no inclination for power, nor had he talent for office. In the performance of his duty to his constituents, he had found it necessary to keep as much as possible aloof from political connexions. It had been his anxious wish, in the late changes, to keep out of the way of the negotiations, until the arrangements were perfected; reserving to himself, under any circumstances, full power to adhere to those principles which it had been the business of his whole life to defend. Long as he had been opposed to the late government, and much as he had differed from the right hon. gentleman, he trusted that he never should be led to oppose him or his government, right or wrong, without reference to the nature of their measures. He did not wish to unite himself to either of the great parties; but, when he saw gentlemen so premature in their opposition, so suddenly pledging themselves to plans of hostility and embarrassment so exclusively personal—he had almost said so servile, to the right hon. gentleman—not having the patience to wait for measures, nor the decency to abstain from throwing dirt on one who was, for so long a time, their leader—on one under whom they had so lately served—when he saw, as the hon. member for Stafford had well
said, Toryism, in its most hideous shape, raising its frightful form among them—
with all his inclination to watch vigilantly the conduct of every man in administr-
ation, and much as he was moved by the
spirit of opposition, of which he could not,
even now, entirely divest himself—he
should be wanting in public duty, if he
did not say, that though he could not give
a certain promise of entire support to the
new administration, he felt decidedly in-
clined to protest against the measures
which had been taken against it, by the
hon. baronet, and the two right hon.
gentlemen who had thought fit to with-
draw from his majesty's government.
During the whole course of his political
life, he never remembered to have wit-
nessed conduct so hard, to say the least of
it, as that which had been pursued
towards the right hon. gentleman and
those who had thought proper to act with
him. He strongly objected to the anxiety
which had been shown to perplex the right
hon. gentleman at the outset of his govern-
ment—to overthrow him by an overwhelm-
ing attempt, before he had got properly
seated, and before he could choose his
course; and it strongly inclined him to
that side which seemed not to have fair play.
He was certain that this must be the feel-
ing of all who were not smarting from
official disappointment, and the pangs of
mortified ambition. As to the right hon.
member for Oxford, he did not by any
means intend to class him with the other
opponents of administration. This
expression of his sentiments, the opportu-
nity of doing which he owed to their kind-
ness and patient attention, he thought due
to his constituents; and he had taken this
course, with the view of making it known
to them. Concerning that the administra-
tion was formed on principles which bid
fairer for the advantage of the country
than that which preceded it, and reserving
to himself the right of opposing it only
when the measures of government should
lead him to think otherwise, he would so
far give his support to the right hon.
gentleman.

Mr. Peel said, that he must have ex-
tremely misunderstood the noble marquis,
if he had not been classed with the two
right hon. gentlemen upon whose conduct
the noble marquis had commented, not in
a very moderate manner, accompanied
with personalities and censure, applied to
him, because of his separating himself, in
an official sense, from the right hon.
gentleman; whom yet he hoped he might
call his right hon. friend. It was not
with any view to office, that he had taken
his course in the first instance; nor was
it on account of his regret for the loss of
it that he had spoken on a former evening.
So far from his acting as one of a factious
and rancorous Opposition, he had come
down on the night of the shipping ques-
tion, to support his right hon. friend, the
President of the Board of Trade. He
certainly had stated that which he felt to
be a difficulty in the formation of the new
ministry. When he saw many hon. gen-
tlemen who had been uniformly opposed
to government, abandoning, as it seemed
to him, their principles, and taking seats
behind his right hon. friends, and about to
take office under him, he did say, that he
must refuse his confidence until he knew
of whom the government was to be com-
posed, and what were the measures which
gave a cement to the coalition. He ex-
pected, naturally enough under the cir-
cumstances, that a triumph was anticipa-
dated on the two great questions of Ca-
tholic Emancipation and Parliamentary Re-
form. When he heard the right hon.
gentleman declare, that the question of
Parliamentary Reform would be opposed as
before, and that he would not support the
repeal of the Test act, he then felt, that
those questions, so far from being in
any danger, had obtained, by the accession
of their supporters to a government pre-
pared to oppose them, a most signal
triumph. What objection, then, could he
be supposed to entertain to the formation
of a cabinet, which secured the triumph
of his own principles? What rancour or
personal hostility could he, who had never
served for the advantages of office, feel
for the accession of a party to office, upon
terms which established his own principles
with more safety than ever? What ob-
jection could he have to a plan of adminis-
tration formed on the principle of ex-
cluding, by those who before did not agree
upon any but the Catholic question? He
promised his most zealous support and
assistance, in as full a measure as he had
given them, to any inquiries into the
ancient institutions of the country, with
a view to their amelioration and reform.
He had not adopted those plans which
he had brought before the House because
he was in office; nor was he disposed to
abandon them because he had quitted it.
He hoped he had explained satisfactorily the reasons of the course which he had taken on a former evening. He admitted, that the right hon. gentleman had then explained the terms of the coalition in a perfectly satisfactory manner. He would only add an opinion which he still entertained, that if there were to be any junction of the members of that party to the administration, it was but fair that it should at once take place, that the House and the country might know what they had to expect. He was never more surprised than to find himself, as the consequence of that speech, classed, by the noble lord, as one of a factious Opposition. When he first came into parliament, his right hon. friend did indeed form a part of what he conceived, with great deference, to be a factious Opposition. His right hon. friend must know well, from his experience at that time, what a factious Opposition really was; of what value was its support; and the inconvenience which resulted from its success. He denied the fact, and utterly disclaimed the intention, of giving any thing like a factious Opposition to the present administration.

The Marquis of Tavistock said, that if any thing which he had said, was offensive to the right hon. gentleman, he was sorry for having spoken it; nothing could be further from his intention. What he wished to have said was, that he was sorry to find the right hon. gentleman descend from that high station which he occupied in the House, to join an Opposition, headed by the hon. baronet, and the late under Secretary of the Home Department. It appeared that he had been mistaken in the views of the right hon. gentleman, and he was glad of the opportunity of having himself set right upon the subject.

Mr. Yates Peel said, that if any one accused him of being one of a rancorous and factious Opposition, it was an abominable falsehood.

Mr. Maberly explained the reasons why he had postponed his financial notices for this session, because he placed the fullest confidence in the right hon. gentleman's promise to appoint a committee of finance next session, to enter fully into all the parts of the public expenditure. To suppose that the proposed committee would not be a fair one, would be an insult to the government. In full reliance upon this promise, he should not oppose any of this year's estimates; not even the Penitentiary item, to which he strongly objected. He hoped, however, that the committee would be nominated very early in the next session, so as to report before the end of it, and he begged leave to suggest that, during the recess, the Treasury would appoint additional clerks to get all the necessary papers ready for the committee, so as that no pause should occur in their labours.

Sir Joseph Yorke said, it might be necessary for members like himself to state on the present occasion the grounds upon which they stood with regard to the present government. It was now thirty-seven years since he sat on the Opposition side of the House, and now that the lion and the lamb had lain down together, they ought, in the language of their parliamentary prayer, "to give up all partial affections." He meant to have risen after his amiable and excellent friend Sir Thomas Lethbridge. Indeed when he had heard the hon. baronet, he thought, for the moment, that he was under a delusion as to his identity, and that the clerk of the Crown had just struck out the hon. baronet's name, and substituted that of Sir Francis Wrangley. He rose, now, merely for the purpose of stating, that the speech of the right hon. gentleman (Mr. Peel) was any thing but factious. He thought it displayed a great deal of manly sentiment, couched in language of great perspicuity. He proposed to take that right hon. gentleman for his beacon upon the Catholic question; and, although he intended to give a general support to his majesty's government, he should consider himself led by that right hon. gentleman, as long as the cabinet continued to be composed of men who are not united upon the subject, and who do not choose to come forward and say, they proposed to make the carrying of the Catholic question a measure of administration. As long as the question remained in that state, he should continue to follow the course of the right hon. gentleman, unless the government came forward and declared that they could not govern Ireland, nor insure the prosperity of the empire, without giving emancipation to the Catholics.

Lord Clifton said, he felt that, in the present crisis of affairs, every public man was bound to express his opinions. He had given the subject the best consideration in his power; and, after mature deliberation, he had formed an opinion, which
be thought it his duty honestly and openly to express. He had, from the first, thought that the government, as at present constituted, was not such as was likely to command the confidence of the people or the House. That opinion he had formed from reasons of his own, which it was not necessary to state. While he held that opinion, however, he felt equally bound to declare, that he preferred that government to any which they were likely to obtain by a change, and that therefore he was determined to give it his support. He was the more induced to support it, from having had an opportunity of witnessing the conduct of some of those who were lately members of the administration. He had seen them running into an instantaneous Opposition, not to the measures of the new government, but for measures none had been yet proposed—but into an avowed opposition to the personal characters of the very man who had been recently their colleague in office; and that, too, in such a tone and manner as must induce all rational men to beware of connecting themselves with them as a party. These were some of the reasons which induced him to support the present government; and he was not at all disposed to depart from that course from any thing he had heard respecting the Catholic question; for he never could consent to allow, that men were to be goaded into the adoption of any measure by the taunts of their adversaries, or that they were to be forced to bring forward the question merely because they were told to do so by those who acknowledged themselves to be its most inveterate enemies. But, above all, he must repudiate the conduct of those who, although the avowed friends of the Catholics, do not disdain to make this unwillingness to comply with the suggestions of their adversaries one of the reasons for their opposition to the present government.

Sir J. Sebright said, he had been for twenty years a member of that House, and during that time it could never be said of him that he allied himself to any party. He did not mean to disparage, at the same time, those combinations of public men, for the furtherance of what they thought the public good, which went by the name of party. He knew that they had been eminently useful to the country at different times. He had, therefore, always acted independently on those principles which he believed to be most nearly connected with the national benefit. It was in a spirit similar to that which guided him during his parliamentary life, that he now stated his determination, in duty to his sovereign, to his country and himself, to give his feeble, but his decided support to the administration, at the head of which, he rejoiced to say, was the right hon. gentleman opposite. Much had been said in censure of those gentlemen who had quitted the Opposition side of the House to join the ranks of the minister. He would not attempt to apologise for their conduct: they were fully equal to the task of answering for themselves; he would, however, beg to call the attention of some of the hon. gentlemen near him to this—that both during the last session and the session before the last, many of the measures of government had received the support both of himself and the gentlemen who usually constituted the Opposition. To the right hon. gentleman opposite he believed the country was much indebted for the recent change in its policy; and he was glad to see his government strengthened, by being purged of its greatest incumbrance—he meant of its narrow-minded and prejudiced portion. He rejoiced at the retirement of men who would have provoked the rebellion of five millions of their fellow subjects, rather than concede the Catholic question. In the place of such men there was now a cabinet, not pledged to unite in support of that measure, but possessing a majority in its favour. He looked to the right hon. gentleman for sustaining the honour and character of the country by his own transcendent talents, and the support of those who surrounded him. He respected the right hon. gentleman (Mr. Peel), and regretted the loss of his services as a secretary of state; but he did not regret him as a member of the cabinet. He did not think that a man holding opinions which he must call bigotted was fit to hold the helm of state in any country, Catholic or Protestant. The right hon. gentleman was, perhaps, only fitted to manage the estates of his holiness the pope; for the prejudices of their minds seemed to be precisely of the same genus, although there was some difference as to their application. His majesty had thought fit to exercise his prerogative in the appointment of a ministry, and the only question
to be determined in that House was, whether they would support those who were disposed to pursue a liberal and enlightened policy, or go back again to the control of that miserable remnant which had been discarded.

Mr. E. Wodehouse said, that in the present state of the public mind, he had felt it would be highly satisfactory to the House, and advantageous to the country, if the subject was fairly brought forward by a motion upon the state of the country. He had accordingly addressed a letter to the right hon. the President of the Board of Trade, on the 6th of May, stating that opinion, and he had received an answer from Somerset-house, which he would read to the House. "My dear Sir, when we parted, I think we were agreed that a great deal of good might result, in the present state of the country, from a motion upon the state of the nation, and that the sooner that motion was made the better; but you seemed also to think that it would be a great deal better if that motion came from a decided opponent of the government, rather than, from a person who was an avowed friend."—

Mr. Lyttelton entreated his hon. friend, not to persist in reading the correspondence. He had reason to believe that his right hon. friend was averse to the exposure of letters which were intended to be private.

Mr. Huskisson begged his hon. friend to recollect that the letter he held in his hand was marked "private." As far as he recollected, the hon. gentleman requested the letter to be returned to him; but he certainly did not contemplate the possibility of its being made public.

Mr. Wodehouse exclaimed, "There sits the right hon. gentleman. I rose to vindicate my character from the foulest calumnies. This very day a gentleman I have known for years, both at Oxford, and while I have been a member of this House, declared to me, that there was no end to the calumnies propagated against me."—

Mr. Portman was confident there was no gentleman who could, for a moment, suppose the character of his hon. friend likely to be affected by anything which had taken place between him and the President of the Board of Trade.

Mr. Huskisson did not think the hon. member could have any reason to fear calumny, on account of what was contained in the notes. He objected to their being made public, more upon the principle of their being private, than from any diminution to the exposure of their contents.

Mr. Wodehouse said, he would offer only one word more. He did not rise to substantiate private honour, but public honour. He did not so much desire to vindicate his own character, as to defend public men, and to uphold official integrity. For that purpose alone he had offered himself to the House.

Upon the question, that the Speaker do leave the chair,

Mr. Hume said, that the right hon. gentleman opposite must see, that the country expected of him a change of principle in financial matters. He concurred perfectly in the opinions which the hon. baronet had expressed in the very manly speech which he had just made, and he trusted that any observations which might now fall from him would not lead any hon. member to suppose that he differed from those opinions. This, however, he felt it his duty to say, that the country expected relief. They were now in the thirteenth year of peace. At the conclusion of the war, the nation had been led to expect relief year after year; but let the House reflect how those thirteen years had passed away. There had been a military establishment, only suitable to a state of actual warfare, constantly kept up, and they were now in a state of utter bankruptcy. In 1821, the expenditure was brought within the income of the government; and he hoped that the same would be done this year. In the last year, the House had agreed to add eight and a half millions to the unfunded debt, under a promise that a similar sum should be taken from the funded debt. That vote he should never have agreed to, had it not been from the unparalleled distresses of the country, and the promises of relief which were then held out. The House might not generally know, that no relief whatever had been given to the country. On the contrary, the expenditure had exceeded the revenue by four millions and a half, and the debt of the country had consequently increased. When the business relative to Portugal was brought forward, he had implored the right hon. gentleman opposite to pause before he took a step which, throwing the political consequences of it altogether aside, must entail great expense upon the country. And, how did matters now stand?
Why, there was a deficiency of four millions and a half last year, and there would be a similar deficiency this; and yet they were still keeping up the face of a sinking fund. He hoped the right hon. gentleman would not be induced to defer his intended committee of finance until next year, but set about it immediately. With respect to going into the committee of supply now, he thought that he was entitled to ask of the right hon. gentleman not to proceed to it until he had first redeemed the pledge given by the late Chancellor of the Exchequer, not to ask for any more supplies, until he had brought forward his financial statement for the year.

If he thought that the line of conduct which he was now pursuing would throw any impediment in the way of the right hon. gentleman, he would abandon it. He did not think that it would; and he thought, that, after what he had said, he was justified in asking how far ministers could make up the deficiency in the year's revenue, and whether the right hon. gentleman opposite meant to take any immediate means of lessening the expenditure of the country?

Mr. Herries, in the absence of his right hon. friend, would not undertake to enter into any explanation of the topics adverted to by the hon. member, but would submit to his consideration, and to that of the House, that although such an intimation as was adverted to by him might have been given, yet that some circumstances had since taken place which would justify a postponement beyond the period at which his noble friend had expressed his intention of bringing the budget forward. He knew it was his noble friend's intention to have brought it forward; but he trusted the circumstances to which he alluded would satisfy the hon. member why an altered course had been adopted. The estimates which he would that night propose would bear no considerable proportion to the general financial statement which his right hon. friend would bring forward on another occasion; after what had fallen from the hon. member for Abingdon, he did not expect that any opposition would be made to voting the Miscellaneous Estimates, which were brought down to the lowest possible standard.

Mr. Canning, who had just entered the House, said, that if he did not at that moment enter into the explanation which the honourable member required, it was because he preserved it for a future period, when he should be able to submit the financial statement in a manner more satisfactory to the House and country than he could do at present. That statement he hoped to make on that day fortnight. The estimates which would be previously proposed in the Committee of Supply would bear no immediate reference to that general statement, and would be only such as were indispensable to the public service. For his own part, he was desirous that the House should be put in possession of the annual financial statement as early as possible. It should be remembered, however, that it was not customary to bring forward the budget previously to voting the ways and means.

Colonel Davies thought, that, considering the arduous duties which the right hon. gentleman had had to perform, he was entitled to the indulgence of the House, but at the same time, he must approve of the course which his hon. friend was pursuing, in requiring every possible reduction. Government ought certainly to bear a great share of the blame for mis-spending the public money; but that House, which was the guardian of the public purse, was more culpable in winking at such extravagance. Millions had been voted away at times when, if the House had been counted, there were not sufficient members present to make a House. If the right hon. gentleman would seat himself upon a platform, he would do so by reducing the expenditure of the country, and make himself the most popular minister that this country ever had.

Lord Howick said, that the late Chancellor of the Exchequer had promised, that the House should not be called to vote any more supplies until the general statement had been brought forward, and it was upon that pledge that he rested his opinion. It could not be denied that the right hon. gentleman had many difficulties to contend with; but, at the same time, he did not see why these supplies should not be deferred until he had brought forward his general statement. He was anxious not to throw obstacles in the way of government, but he thought that there ought to be no expenditure, until the means by which that expenditure was to be met had been pointed out; and, upon that ground,
the hon. member for Montrose should have his vote, if he persevered in his opposition.

Lord Milton said, that when he gave it as his opinion, that the committee should be gone into, the hon. member for Montrose must not suppose that he meant to desert him in his endeavours to bring about an economical reform. Next to Ireland, he thought the state of the finances of this country the most alarming object that presented itself to the consideration of that House. He could not see without alarm so small a surplus as one million over the expenditure of the country.

Mr. Alderman Wood said, he was sure the right hon. gentleman opposite would feel gratified when he told him, that a large number of his constituents were satisfied with his government. For his own part, though he continued in his former seat, he would give the right hon. gentleman his support as far as he could [cheers], in spite of the very degrading language which had been used towards him elsewhere. He had often heard severe reflections passed upon the debates of the common council of London. They had been called a set of men, who used nothing but vulgar language. But he must say, that he never heard anything elsewhere which nearly approached the language to which he referred. He hoped his hon. friend, the member for Montrose, with whom he had so often voted, would not embarrass the right hon. gentleman, and drive him to a corner of pounds, shillings, and pence. He had only one complaint to make against the right hon. gentleman, and that was for an expression into which he had been goaded. He hoped that whatever he might say as to parliamentary reform, which he had always opposed, he would not again get up in his place and say, that he would oppose the repeal of the Test act to the last hour of his life [No, no!]. Frequent illusions had been made to the march of intellect. Now, although the right hon. gentleman might have proceeded on this march, even to the very pinnacle, he thought the time would yet come when he would think that the difficulties under which so many thousand Dissenters laboured ought to be removed. He should conclude by observing, that on all occasions where the measures of government were directed to the public good, the right hon. gentleman might be sure of his support.

Sir Robert Wilson rose to make one ob-
servation on what had fallen from the worthy alderman. To those who knew him, he need hardly say, that he was a friend to civil and religious liberty in the most comprehensive sense of the term. He therefore blamed the Dissenters for not having made common cause with their Roman Catholic fellow-subjects in petitioning the legislature for a repeal of those acts; and for that reason he, for one, should join the right hon. gentleman in opposing their repeal. It was for this reason—because there were eighteen millions composing the population of the country, eight millions of which were excluded from those rights which the other ten millions enjoyed. Now, if, according to the worthy alderman's view, the Test act ought to be repealed with reference to the Dissenters, that class of persons would unite in keeping the Roman Catholics from participating in the rights which were conceded to themselves.

Mr. S. Wortley put it to the hon. gentlemen who were engaged in these irrelevant discussions, whether it would not be more beneficial to the public service, that the House should at once proceed to business.

The House then went into the Committee; in which the several Miscellaneous Estimates were agreed to.

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HOUSE OF LORDS.
Monday, May 14.

VOTE OF THANKS TO THE ARMY IN INDIA. Lord Goderich, in pursuance of the notice which he had given, rose for the purpose of proposing to their lordships to pass a Vote of Thanks to the Army and Navy of England, which had been recently employed in the eastern hemisphere; and if it was now some time since the period when their lordships used to be called upon, almost annually, to testify the sense which they entertained of the invaluable services which the fleets and armies of his majesty rendered to the country, it was impossible that their lordships should not recollect, that the very infrequency of these motions resulted from the peace, which was itself the result of the unparalleled successes, for which their lordships had been called upon to express their gratitude. He felt it to be impossible for him to discharge the duty which he had to-day to perform, of proposing to their lordships to thank the army in India, without recollecting, with no ordinary degree of pride and satisfaction,
that it fell to his lot, at the termination of that war, to be one of those individuals who were selected by the other House of Parliament to convey their thanks to a great and illustrious duke, whom they thought it an honour to themselves to thank for the services which he had rendered to his country; and he was persuaded, that there was no man in their lordships' house, or in the country, who would join with him with greater sincerity, in asking parliament to express their sense of the services of the army in India than that noble duke himself; particularly when he recollected, that the theatre where those services were performed was the theatre where the illustrious duke first unsealed that sword which had flashed so many years in terror to the enemies, and in glory to the friends, of this country. He felt it his duty to make these preliminary observations, as an act of justice to that noble individual; and he should now proceed to submit to their lordships the grounds upon which he thought they were called upon to pass their approbation; and in doing so he should not advert to any of those political topics connected with the cause and origin of the war against the Burmese, or the attack upon the fortress of Bhurtpore. It was manifestly desirable to abstain from topics which had a tendency to disturb that manly spirit which was most desirable in cases of this kind, and which certainly added no ordinary grace to the thanks of parliament. The circumstances which led to the operations conducted by sir Archibald Campbell against the Burmese, originated a considerable time before the government of India felt called upon to resort to actual hostilities; and it was impossible that they should not feel, that they were about to undertake operations of no ordinary difficulty. The country was entirely unknown, and communication was exceedingly difficult. The only mode for our troops to strike a decisive blow against the enemy, and capture the capital, was by availing themselves of the course of the great river which led from the capital to Rangoon. Although the nature of the enemy's country was unknown, this circumstance was perfectly known—that the people were warlike and resolute men, who had a very high sense of their own importance, and of their own means. It was impossible, therefore, that the operations of our troops could be attended with immediate success, in a country where great difficulties were opposed to the movements of the troops. However, as soon as a hostile feeling was shown on the part of the Burmese, the most active preparations were made to take the field. And it was impossible for language to convey in sufficiently strong terms the efforts made by sir Thomas Monro, the head of the government of Madras; in which presidency the main body of the troops was collected, who were drawn from great distances with the utmost rapidity. But the merit of the praise was not due to sir Thomas Monro alone, who brought the troops together; for there were few circumstances under which the native troops had so signalised themselves, and their conduct gave a character to that portion of the forces of the East India company, which was beyond all praise, and which was, in a military point of view, of no ordinary interest; for their lordships well knew the aversion which the native troops felt to operations of such a kind; besides which, a superstitious feeling prevailed among them with respect to the fortress of Bhurtpore. Most of the native troops had been brought from distances of many hundred miles; some from a distance of a thousand miles, and yet there were no more than two individuals who had not embarked with their corps. The first operations of the army were directed against Rangoon; and, though the enemy had not the means of making a defence of that position, yet our troops found it impossible to advance a single step without opposition. The enemy knew the strength of his own country, availed himself of his own resources, and kept up that desultory warfare, which exposed our troops to every privation, and made the effects of climate still more destructive. The skill which the enemy displayed in the defence of his country manifested no ordinary degree of capacity, bearing on defensive warfare. Nothing, however, could withstand the attack of our troops. Every inch of ground was contested, step by step, in personal conflicts between man and man; and in every instance our troops were successful, and the result was the entire dispersion of the force which the enemy could collect, and his ultimately suing for peace. But he ought to advert—indeed, it would be gross injustice to another branch of the service if he did not advert—to the advantageous co-operation of the naval force, without
the assistance of which it would have been
totally impossible for the land operations
to have succeeded. The supplies could
never have been carried up, but for the
facilities the river afforded; which were
not, however, without countervailing dif-
culties. The river was navigated by vessels
of the enemy, denominated war-boats;
and, if there had not been a competent
 naval force, directed by that energy which
had always characterized the British navy,
that naval force of the Burmese would have
rendered unsuccessful the operations of the
troops. However great might be his
opinion of the services of the army, he
was bound to manifest the same feeling
with respect to the co-operations of the
navy. He did not think it necessary for
him to trouble their lordships by going
into details, or by mentioning, in par-
ticular, the names of individuals. Those
names were contained in the motions; and
would find, is the records of their lordships,
House, a testimony which was far beyond
the transitory eulogium which so humble
an individual as himself might presume to
pass. With respect to the fortress of
Bhurtpore, those persons who had not
applied their minds to subjects of this
kind, might, at first view, think it not
deserving the attention of their lord-
ships, that a small and isolated fortress
should have been captured after a regular
siege and assault: but there were some
circumstances connected with that fortress,
which gave it no ordinary importance in
the eyes of the government of India, and
the successful assault of that position fully
deserved their lordships' thanks. That
fortress had always been considered in
India as a very strong place, and had,
twenty years ago, successfully resisted a
vigorous attack made upon it; and the
failure of that attempt had inspired the
natives with such a conviction of its
strength, or rather such a superstitious
belief that it was invulnerable, as made it
acquire in their eyes the greatest import-
ance, and rendered it the rallying point
of every person hostile to the Indian
government. It was impossible to say
what the consequences would have been
of either leaving that fortress in the pos-
session of the raja, or of failing in the
attempt which had been made. He could
say, with perfect truth and justice, that
the preparations made to ensure the
certainty of success were only equalled by
the attack. An attack was made upon
the fortress by Sir Edward Paget, and
afterwards by Lord Combermere, when the
accumulated number of troops and artillery
made success infallible. It was of no incon-
siderable importance, and the circum-
stance was a strong proof of the judgment
with which the attack was planned, that,
when every thing was prepared, and the
batteries erected, not a moment was lost
in giving them their full effect; and, in
the course of a few weeks, this mighty, and
hitherto considered impregnable, fortress
was taken by assault, though defended by
the greatest vigour and bravery. After
the loss of four thousand men, the enemy
was under the necessity of surrendering
this key-stone of their strength, and of
yielding up a fortress of the greatest im-
portance to the security of our empire in
the east. He was afraid he had detained
their lordships too long; but he hoped
they were too ready to do justice to the
efforts of their countrymen, not to pardon
the weakness of his eulogium. He now begged
leave to move, "That the thanks of the
House should be given to lord Combermere,
Commander-in-chief of the forces in India,
for the zeal and meritorious conduct he
displayed in commanding the troops
employed in the attack upon Bhurtpore,
and particularly for the judgment with
which he planned the assault upon that
fortress, the success of which has been
highly valuable to the reputation of the
British arms." He likewise moved votes
of thanks, similar to those passed in the
House of Commons on Tuesday last, to
the different officers and men, and to the
army and navy.

The Duke of Wellington said, he did
not mean to enter into the details which
his noble friend had gone into, but he
hoped it would not be deemed presumptuous
in him to offer a few words on the occa-
sion, particularly when their lordships
considered the relation in which he stood
to the officers and troops employed in
India. If he had had no other motive for
addressing their lordships, he should have
been induced to do so by the kind remarks
of his noble friend, who had attached more
merit to him than his services deserved.
With respect to Bhurtpore, his noble
friend had acquainted their lordships with
that superstitious notion which invested
the fortress with impregnable character; and he
had also informed their lordships of the
attack which had been made on it twenty
years ago. It was only justice to the
governor of India to observe, that he had prepared the way for the success of lord Combermere, and had displayed the greatest anxiety, that means sufficient for the purpose should be placed under his command. This justice was due to the governor-general; but he must also say, that no time was lost in beginning operations. His noble friend, lord Combermere, had lost no time in joining the army on his arrival in India, and had travelled upwards of a thousand miles in ten days, in order that he might begin the operations at a proper season. He had commenced those operations, and carried them on, with that vigour and activity which ensured their success; and had closed them by a military feat which had never been surpassed by any army upon any occasion. With respect to the operations in Ava, he must say, that little more was known of that country than its name. The Indian government knew nothing of the climate, nor of the nature of the government or the people. They knew nothing respecting its military force, for of any of those circumstances which would enable a man to form a plan of military operations, or found any notion in what way to proceed to carry on a war. The government knew nothing of the topography or geography of the country. Under these circumstances, sir A. Campbell went to Rangoon with his army, at the commencement of the rainy season; and it was not, therefore, to be wondered at, that the operations should have excited so much anxiety and doubts as to their termination. The army found that every animal had been driven out of the country; and every man suffered under great privations, in consequence of the want of provisions. It was not possible to describe the nature of those privations which the troops had suffered; and which were aggravated by the climate of the country. The officers and troops had, however, borne all these privations, and encountered every difficulty, with the greatest cheerfulness; and, after vanquishing a numerous enemy, brought the contest to an end honourable to this country, by that which he hoped would be a lasting peace. Under these circumstances, he conceived there never had been an occasion upon which their lordships had been called upon to express their approbation, when it was better deserved.

The Earl of Carlisle thought, after the satisfactory testimony which had just been borne to the services of those troops whom it was proposed to thank, it might be deemed presumptuous in him to attempt to follow up that testimony by any expression of his sentiments; but, having formerly held a situation, however subordinate, connected with the affairs of India, he felt anxious to offer his humble tribute of applause to those important services rendered by the capture of Bhurtpore; the conquest of which would, he trusted, secure permanent peace to that part of the British empire. But if their lordships admired the gallantry which led to that conquest, they ought, in a still greater degree, to admire the cool and collected courage, the patient and enduring spirit, which animated the army, and preserved its energy, until the time for action arrived, when they pursued a new enemy in a new country, hunted him from his recesses, and finally dictated the terms of peace at a short distance from his capital. He thought that praise was due, not only to the military, but to the naval force. He had no wish to create any difference of opinion; but he could have wished, that the name of the governor-general, who had so ably made every preparation for the war, might have been inserted in the thanks of the House. He perfectly understood the dissatisfaction drawn by his noble friend; but he regretted that the noble lord who presided over the government in India had been subject to unfounded misrepresentations, though he trusted that his noble friend would answer those misrepresentations satisfactorily to his country, by two expressive words—Ava and Bhurtpore.

The Earl of Morley thought that, considering the patient and enduring spirit of the army, it would be difficult to select an occasion upon which the tribute of national gratitude was more deserved. Though he felt, with his noble friend, that it would not be strictly within the usage of parliament to express, in a separate motion, the sense they entertained of the civil government of India, still he thought it would be an act of gross injustice, if he did not advert to the firmness and wisdom of those councils which gave energy to our armies. The votes of thanks were restricted to the operations in Ava and against Bhurtpore; but it did not appear by any thing in those motions, that the one operation was not subsequent to the other, and that the resources of the one were not transferred to the other. Such, however,
was not the case. It was during the most trying period of the operations in Ava, that the enterprise against Bhurtpore became urgent; and government so admirably managed their resources, that they were enabled to equip and send into the field an army, fully adequate to the purposes for which it was formed. He thought great praise was due to the governor-general for his firmness and wisdom, without which the capture of Bhurtpore would never have taken place. Great as had been the success against Bhurtpore, and the advantages derived from it, that noble lord was as slow to claim merit for those advantages, as he was before ready to repel those charges brought against him, during the continuance of the military operations. Grievous were the forebodings, and grievous the complaints, against that noble lord during the prosecution of the war. It was now, indeed, generally acknowledged, that at the time that noble lord arrived in India, the question of going to war with Ava was no longer an open question; and such was the determination of the government of Ava to measure their forces with us in the field, that a few months of feverish repose were the most that could be expected.

The Earl of Harrowby said, that after the observations that had been made, he considered it necessary for some member of government to declare, that the glorious results of the war were not only attributable to the valour of our troops, but to the judgment and discretion of the governor-general. The only reason why the noble lord had not been included in the vote of thanks was, that it was not usual that thanks should be voted to the civil officers of the state. The only occasion in which that usage had been departed from, was in the instance of a noble relative of the noble duke, who had, to a certain extent, adopted the military character, by placing himself at the head of the expedition. He begged to declare, in the most unqualified manner, that great merit was due to the noble lord at the head of the government: for it was not only the valour of our troops, but the firmness and judgment of the noble lord, which had secured to the country such brilliant success. The noble lord had already received from the hand of his sovereign a splendid mark of his approbation; and if anything could add to the gratification, it would be the sentiments expressed by their lordships on the present occasion, especially by the noble duke.

The resolutions were agreed to, nem. dis.

NEW ADMINISTRATION—FOREIGN MISSIONS.] The Marquis of Londonderry said, that, after the debate on Thursday last,—after the extraordinary eulogium that they had heard on a right hon. gentleman,—after the unanswerable speech they had heard from a noble earl who sat behind him, detailing the proceedings by which that gentleman had succeeded; and which seemed to amount to a kind of conspiracy,—after all the display of that person's consistency—he felt that he must again claim their lordships' indulgence, while he stated the reasons which induced him to bring forward the motion which he was induced to press; not impinging to the noble lords opposite any improper distribution of the funds intrusted to their charge, not with any view of finding fault with the expenditure, or the persons who had received it, or with any expectation of displacing them, but merely to show the different state of the Foreign Office in the year 1822 and at the present period. If his noble friend opposite would declare, that the present government was to be the permanent government, he would at once cease to press this or any other motion on the subject; but, unless he received some assurance on the point, he felt it his duty to call on noble lords to declare whether they meant to carry on the business of the country to the conclusion of the session, under all its present disadvantages—to call on his noble friend to answer how long that disgusting—for that was the phrase now—that disgusting concubinage was to last. He would ask the reverend bench if they were the advisers of the noble marquis, as one of the high contracting parties? He would ask the reverend bench this, as they were the guardians of our morals and our virtues. The noble marquis was an old stager; he was no green-born in politics; but he would tell him, that before he had brought the victim of his seduction to his embrace, he might be thrown aside, after defaming the character of his victim. He should like to know from the learned lord on the woolsack, if, after such a breach of promise in another place, an action would lie. In point of conscience he would say, the conduct was such as to put it out of the power of the individual to get compensation. He would again appeal to the right
reverend bench, whether what was stated in the Treasury journals respecting a further accession of recruits was correct; or whether the present noble lords were only holding their offices as trustees who were to be brought in alliance to bear on the important question of Catholic emancipation? He would tell his noble friend opposite, as well as the noble marquis, with regard to that great and important question, that he had always been its most zealous supporter; but he would not suffer that measure to be carried by any sinister means; knowing, as he did, the sentiments of the highest person [order, order] on that subject. With respect to the present provisional government, it was notorious, that several of the offices were not filled up. We had no Judge Advocate; no Commissioners of Woods and Forests; no Master of the Mint—that very important office, without which the Treasury could not be as well filled as it should be. He should like to know from those gentlemen, the editors of the daily press, what was intended by the remarks that had been made on the subject in a paper which he had seen—

"My speech on Canning’s master mind
Involves a great mistake you’ll find.
Please to correct this gross misprint,
For master mind, read Master Mint."

The noble marquis proceeded to refer to the resignations of six of his majesty’s ministers. He pronounced a warm eulogium on the duke of Wellington, dwelling on the fact of his grace having been selected for various foreign missions of importance; and contended, that the God of War and not the God of Chicane, ought to be the director of his majesty’s councils. The circumstances of the late changes were, he said, before their lordships and the country. On them he should rest the question, leaving it to the sense of the country to decide whether this juggle, as he would call it, was not a disgrace to the House and the country. The noble marquis concluded by moving, "That a return be laid on the table of the House, of all appointments at home or abroad connected with the Foreign-office, from the 5th Jan. 1817, to the 5th Jan. 1827; specifying the name, situation, salaries, and allowances, including his majesty’s ambassadors, ministers, and consuls; specifying all such appointments as are held by one and the same person; with the total expense of the whole department: distinguishing each year, and the number of regular and special missions."

Lord Dudley and Ward said, that one thing only he could gather from the speeches of the noble lord, and others who had addressed the House in the same strain, on former occasions; namely, that he and they entertained a strong feeling of dislike towards the right hon. gentleman whom the king had been pleased to place at the head of his government. No other fact but that, was he able to make out from the speech of the noble lord. He had sat a good many years in parliament, and had seen many Oppositions—right or wrong, he had taken part in some of them. Those Oppositions were formed on various grounds; but some public principle was always involved in their construction. The present period, however, presented the only example to be found in the history of this country, of an Opposition founded on no one public principle, but merely on personal antipathy to the prime minister. The noble lord had alluded to the peculiar situation in which he supposed that he (lord Dudley and Ward), and some other individuals in the Administration, stood. Upon that point he certainly had no personal desire for concealment. He would willingly—as far as he himself was concerned—tell the noble lord all he knew on the subject; but when he was publicly interrogated, he must, on public grounds, refuse to answer. It was frequently the custom of parliament to address the king to dismiss his ministers on specific grounds, such as their incapacity, or the dangerous nature of their policy; but this was the first time in the history of the country, that any minister had been called upon to declare how long the king, his master, would choose to employ him, and how long he intended to serve his Sovereign. No such question, he believed, had ever been asked before; and most certainly he would not be the first minister to answer it [hear]. With respect to the papers moved for, he had formerly told the noble lord, when he gave notice of his intention to move for them, that there was no disposition on the part of government to withhold any information on the subject. The only doubt which had been entertained was, as to whether the information could conveniently be produced in the shape in which it was called for; and also whether it could be produced consistently with the just prerogatives of the Crown. Having
made inquiries upon those two points, and having found that no objection existed on either ground, he had no hesitation in acceding to the motion. Lord Keg said, he agreed perfectly with the noble marquis in the present motion. It happened to be just such a one as he had himself formerly submitted to the House, with a view to obtain information. He had then shown, from the parliamentary returns, that the whole expense of ambassadors formerly amounted to 75,000l.; but on the new scale in 1816, it had increased to 133,000l.: the whole expense of secretaries of legation in 1815 amounted to 5,000l., which was subsequently increased to 33,000l. The charge for consuls amounted to 9,000l. which in each year was advanced to 30,000l. Disbursements to foreign ministers and extraordinaries, 50,000l., which in 1815 increased to 145,000l. and presents to foreign ministers, 36,000l., making in all a total of 424,000l. expense in one year; while, in a former period, the whole expense did not exceed 120,000l. On looking at the different items, he found Lord Castlereagh’s expenses amounted to 21,106l. In addition to Lord Stewart’s salary of 7,000l., his lordship charged 5,134l. for contingent expenses, besides 6,538l. for losses by exchange, and 4,790l. for the journey to Mantua. The sum paid to Lord Cathcart was 4,106l. besides 6,900l. for extraordinary expenses. Then the various sums paid to the several Russian ministers amounted to 12,154l.; which, he supposed, were the fees of admission to the Holy Alliance. With respect to the salaries of the consuls, he could not help thinking, that the increase was injurious to the country. Before the arrangement for paying them out of the consolidated fund was formed, the pay of foreign ministers was not deemed worthy of the attention of parliament; but that was not the case subsequently. He thought that arrangement extremely prejudicial to the public service, because it held forth a bounty to extravagance. Neither was it for the advantage of the regular professional men in the diplomatic department, that this increase of expense had taken place; for, since then, the men were not so much made for the offices as the offices for the men. His lordship, after referring to the appointment of Mr. Eden, Mr. Harris, Mr. Fitzherbert, and others, to situations of this description, observed, that if the House looked to the results of this increase, they would find that England possessed more influence in Europe while she pursued a system of moderate expense, than since she had adopted one of greater extravagance. In illustration of this, he referred their lordships to the state of British influence in Holland in 1808; and, subsequently, in Italy and the north of Germany. We had thought proper to sacrifice all the lesser states to two or three larger ones. We had sacrificed Geneva, the whole of Italy, Norway.—In short, the entire influence of this country in Europe we had sacrificed to three or four great powers. The consequences of this expenditure were more deplorable than any result which had ever flowed from the application of any sums of money within his knowledge. The noble marquis did not go back far enough; he should have gone as far back as 1815 and 1816, and not confined himself to 1817. The noble marquis had alluded to what he was pleased to designate “a disgusting concubinage”—the construction of the present ministry, which he seemed to regard as a kind of political minotaur. —“monstrum horrendum iniforme”—an unfomed monster—an abortion of a monster. But the noble marquis was too meek and gentle with these monsters. He should have taken a lesson from a rev. gentleman who, at a late meeting, expressed a wish that he had a hundred hands, like Briareus of old, and a sledge-hammer in every hand, that he might beat down that monster the Roman Catholic religion. He would recommend the noble lords opposite, many of whom were young men, to attack the present cabinet with a hundred sledge hammers, and thus knock the monster to pieces. He did not know whether any of the other noble lords would bring forward the motions which they had threatened, but he rather thought they would not. However, he hoped his majesty’s ministers would not be frightened by a few trifling words. They had nothing to fear from the noble lords; who would find that they had overloaded their pieces, and if they attempted to fire them, they would recoil upon themselves. The Earl of Malmsbury said, that in the times to which the noble lord referred, the salaries of diplomatic situations were unequal to the expenses of the office, and those who filled them were obliged to draw upon their private fortunes to meet.
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them. It had, therefore, become absolu-
tely necessary that an increase should take place. With respect to the change in the mode of paying consuls, he did not think it an advisable one. He should have preferred their drawing their remu-
neration from the mercantile world; but even then they required, that that remu-
neration should be increased.

The Earl of Darnley was sorry to see the noble marquis continuing that species of attack on the ministry, of which he had intimated his intention on a former night. He was quite sure that the moti-
ces which actuated the noble marquis were perfectly pure; but, at the same time, he would recommend to him to wait until the government was guilty of some-
thing which should call for parliamentary animadversion. He could not but lament that another noble friend of his, who ended the discussion on a former night, was not present; because he wished to take that opportunity of making a few remarks, which he could not have attempted after such a speech as that which their lord-
ships had heard from his noble friend, to command their lordships' attention. So long as the opposition to ministers was confined to the bitterness of disappoint-
ment, or personal animosity, he thought it ought to have no weight; and, in some cases, it only proved the truth of the assertion, that dulness was the natural enemy of genius. If he had any personal feelings of hostility towards the head of his majesty's government, he would not suffer them to interfere with his duty to his country: but he had known that right lion. gentleman ever since they had been at school together, and had always felt a just pride in his brilliant career. How-
ever, he did not stand there to vindicate every passage in his right hon. friend's political life; on the contrary, there were some in it, of which he could not approve. But, feeling the situation into which his sovereign was forced by those who had lately enjoyed his confidence—knowing that his right hon. friend had been called on to form a cabinet—and approving, in common with his noble friends, of those liberal sentiments which that right hon. individual entertained, he had no hesita-
tion in declaring, that he would give him all the support in his power. But there was a wide difference between supporting a minister, and taking office under him; to do the former he had no hesitation; but, as to the latter, he confessed there were great difficulties. The circumstances were certainly somewhat untoward, and rendered the acceptance of office very different from giving support to govern-
ment; but, he must add, that circum-
stances had occurred, since parliament had last met, which very much removed his scruples on that point. The modera-
tion of the Roman Catholics, and their confidence in their friends on the one hand, and the factious violence (so he must call it) of the present Opposition on the other, had reconciled him to the ac-
ceptance of office by his noble friends. He thought the noble marquis (Lansdown) the fittest person to lead the councils of this country, if any change took place. He was quite sure that his noble friend never could do anything which had not for its object the promotion of the best interests of the country. He had heard something of a vulgar desire of office: he was perfectly satisfied of the utter impossibility of his noble friend being actuated by any such desire. The only motive that governed his mind was derived from the conviction that, by accepting office, his services might be useful to his country. He must apply the word "factious" to the Opposition of the noble lords. Now, a noble earl had given notice of a motion, which was certainly done with a view to embarrass the government. That noble earl was a decided enemy to Catholic emancipation, and, as he must know, from the results of the repeated discussions of that question, that such a motion would only end in rejection, his object in bringing it forward at this moment could only be to embarrass the government; and, therefore, it justified the application of the term factious. Not that he believed the noble earl to be of a factious disposition; but this showed how much the judgment of a man the least likely to indulge in such feelings, might sometimes be warped by particular circumstances.—It was not his business, if his majesty had placed confidence in the present ministry, to in-
quire how long it would continue; and, although he had heard the term "rubbish" applied to those of whom it was composed, he saw no reason why they should not carry on the government of the country with advantage to the nation. He re-
jected, that there was at length a prospect of those principles, under the operation of which the country had suffered so much,
being removed—principles which had been adverse to every species of amelioration, with the exception, indeed, of those professed by the right hon. gentleman who had filled the office of Secretary of State for the Home Department. But, since he had heard from report, of the eagerness of that right hon. gentleman to join in what he could not help again designating as a faction, he considered him as having degraded himself by such a junction. It was the duty of every friend to those liberal principles which his majesty's government professed, to give them all the support in his power.

The Earl of Longford said, that the noble earl had described the conduct of the Irish Roman Catholics as being extremely moderate. He should only say, that if they were moderate, they had concealed their moderation under so perfect a mask that he could not perceive it. He had witnessed many acts, on the part of the Catholics, the reverse of moderation. The noble earl had applied the term "factions" to those who opposed the present administration. Now, he could not submit to have such an epithet applied to those who conceived it to be their duty to oppose an administration so constructed. The noble lord had said, that at no time had he witnessed such an Opposition. To which he would answer, that at no time had he witnessed a government composed of such ingredients, and so utterly unworthy of confidence.

If a steam-engines of a hundred horse-power were employed to force together the most dissonant particles, and unite them into an administration, it could not produce a more discordant combination of persons, diametrically opposed to each other in principle. Such were the persons by whom they were to be governed; and, because they declined to support them until they knew by which of those Opposite principles they were to be so governed, they were designated a factions opposition. A noble friend of his had dropped the word "rubbish," as applied to this administration. Now, when he repeated the term, he only meant to describe a mass of materials, heaped together without any common foundation, and formed into a fabric which was only to be held together by the agency of Roman cement. All that could be expected from such a fabric was, that it might please the eye and suit the taste for a little time. Could it be expected that they could hold together a building composed chiefly of the quicksands of political inconsistency, and of the destructive mountain torrent of revolutionary desolation? [a laugh].

Lord Melville observed, that his noble friend had said, that his right hon. friend, the late Secretary for the Home Department, had embarked with his late colleagues in a factional opposition to his majesty's government. He could assure the noble earl that he was misinformed on that subject. That right hon. gentleman, if he could believe that the principles of those individuals who had seceded from the ministry were to be abandoned, would then, indeed, be found opposed to the measures of that government; but, while the government, continued to be conducted on those principles upon which it had heretofore been carried on, his right hon. friend would not be found in the ranks of Opposition.

The Earl of Darnley, in explanation, said, that the right hon. gentleman had certainly exhibited a wish to oppose the present government; but it appeared that he had since become ashamed of his associates ["No, no," from lord Melville.] He was happy to be set right; as he had no wish to misrepresent.

Lord Goderich said, he was prepared, so far as his own opinion and belief were concerned, to confirm all that had been stated by the noble lord, with respect to his right hon. friend. He had no reason to suppose that his right hon. friend did now contemplate, or ever had contemplated, any thing which merited the name of a factious opposition to the government. Unless he could suppose that his right hon. friend was insincere in all he said, he must believe that he entertained intirely opposite views on the subject. If, however, it should be found that he (lord Goderich), or any of those individuals who now constituted the government, and who had recently not felt themselves called upon to reject the invitation which was offered them to continue to form part of the king's council—if it should be found that they abandoned the principles on which they had hitherto acted—they would indeed abdicate their honour, and cover themselves with disgrace, and would merit not only to lose the confidence of parliament, but to be visited with its disapprobation. If certain individuals, who had watched and approved of the conduct pursued for some years past, not alone by the minis-
ter who remained in the government, but
conjointly with others who formed part of
the late administration, and with whose
perfect concurrence measures had been in-
trouced which were deemed essential to
the best interests of the country—if these
individuals, seeing the critical situation in
which he and his colleagues were placed,
and the difficulties which surrounded them,
could reconcile it to their honor and
character (and he had no right to suppose
they could not) to give them their support,
why, in God's name, was that to be made
a reproach either to them or to the ad-
ministration? Why should it not be sup-
posed, that both parties acted for the
honour of the king, and the good of the
country, and not for any mean, miserable,
and contemptible purpose?

The motion was agreed to.

HOUSE OF COMMONS.
Monday, May 14.

Creation of Peers.] Mr. Hume rose,
to ask a question upon a subject of great
importance. He did not wish to do any
thing which might interfere with the just
prerogative of the Crown, but he wished
to make an observation upon a practice
which had grown up in late years,
creating a great number of peers. If
there was any thing more than another
requisite to maintain those persons in that
state which entitled them to the respect of
the other stations of society, it was a due
caution that their number should not be
too much increased, and that none should
be elevated to that rank, whose fortune
did not place him beyond the reach of
accident, and who should not be able to
transmit it with its honors, unimpairled,
to his posterity. Abroad he had seen the
miserable effects of multiplying the num-
ber of the nobility without any attention to
their property. There he had seen the
whole class degraded, and treated with
disrespect by those who ought to have
looked up to them as examples for imitation.
In this country, too, there was at
present no amount of property required for
the individual who was to be raised to the
peerage; and the consequence was,
that the pension-list had been enormously in-
creased by making provisions for the main-
tenance of the rank of such peers, and
their families and connexions. This ought
not to be the condition of the class which
was to stand between the Crown and the
people. He felt that some check ought
to be put upon the exercise of this prer-
gative; either by addressing the Crown
to not create peers who had not independ-
ent means of support; or, if created al-
ready, that their dignity should cease
when they were no longer able to maintain
it [a laugh]. As these individuals were,
from their rank, prevented from following
particular occupations, it was the more de-
sirable that promotion to it should be
checked; otherwise the pension-list, which,
for the reason he had stated, had been
enormously burthened within the last forty
years, would increase to a still greater
amount.

Mr. Canning said, he was very much
at a loss to conceive upon what circum-
stance, or upon what suppositions, or from
what rumour or reason, the hon. member
had thought proper to come forward upon
this occasion; whether with a question,
or a motion, or a notice of motion, he
could not undertake to determine. The
right vested in the Crown, of conferring
honours upon its subject, was a question
so solemn, that whenever the hon. gentle-
man thought proper to bring it forward,
he hoped to meet the discussion with all
the gravity and decorum which it so justly
deserved. This much, however, he might
say, that nothing the hon. gentleman
could say—no reasons he could urge—
would ever induce him to strip the Crown
of the most splendid portion of its preroga-
tive, or to deprive the subject of the equally
splendid reward of his services.

Mr. Hume declared, that he had not
mentioned the matter from any intention
of alluding to what was passing at the pre-
sent moment, or to what was reported out
of doors. The subject was one which had
been pressing on his mind for years.

The Chancellor of the Exchequer thanked
the hon. gentleman for that information;
as he had at first conceived his observa-
tions to be founded upon some rumours, as
wild as they were mischievous, circulated
only to promote delusion, and not pos-
sessing one syllable of truth.

The House resolved itself into a com-
mmittee of supply, to which the Miscel-
naneous Estimates were referred. On the
resolution for granting 3,000l. to the Na-
tional Vaccine Establishment,
Sir Joseph Yorke said, he was not hostile
either to the sum, which was small, or to
the principle, provided there was any thing
in it. Either it was good, or it was bad.
Salmon Fisheries Bill.

If neither one or the other, the sum ought to be saved. A large sum had been already voted to Dr. Jenner for getting rid of the small-pox. Now, so far from that benefit having been conferred, the disorder was going about as much as ever. A son and daughter of his, who had been inoculated with the vaccine in their early existence, had both afterwards suffered from the small-pox. Now, this liability was very bad in this way—for a confidence in the vaccination tended very much, when the real disorder followed, to prevent the timely application of medical science, for the benefit of the patient. He believed that vaccination was not worth two straws; in fact, that it was a humbug, and that it did not prevent the skin from thickening, or preserve the beauty.

Colonel Wood was sorry to hear his hon. friend cast distrust upon what he was confident was the greatest blessing, not only for this country, but the whole world, which modern study had discovered. That particular cases of failure of vaccination had occurred, he would admit; and the same had happened respecting inoculation for the small-pox itself. He was sorry that his hon. friend should insist in sending forth a prejudice, which might operate most injuriously among the lower orders, in a case so much affecting their interests.

Mr. Peel wished to caution his hon. friend how he indulged with levity and sarcasm in subjects of this nature. It was perfectly true, that appearances of small-pox had been observed after supposed vaccination; but it was equally true, that the latter, if not a perfect antidote to the former, had greatly abridged the extent and mitigated the severity of the original disorder. Indeed, his hon. friend's argument, drawn from his own children, instead of proving that vaccination had not produced inestimable blessings, only showed that the operation was probably performed by some inexperienced country amateur practitioner. He thought it absolutely necessary that an institution of this nature should exist; and he hoped that the House would not countenance those prejudices against vaccination which existed in many parts of the kingdom. The gentlemen connected with this establishment had inquired into many of the cases in which it had been asserted that vaccination had failed; and their labours had already been productive of considerable benefit.

Sir C. Burrell said, he had not the least doubt, that, if all the medical profession had acted honestly, the small-pox would, by this time, have been extirpated from the country. Instead, however, of promoting vaccination to the utmost, there had not been wanting some, who, from sordid motives, had conducted to render the small-pox prevalent.

Mr. Hume said, that, only seven weeks ago, he was in a party of gentlemen who had carefully considered this subject, and that they asked him to introduce a bill into parliament, for the prevention of inoculation with small-pox matter altogether, unless the parents of the children so inoculated removed them to some kind of pest-house. He thought that this would be a very salutary measure; and, as the law had already provided against the introduction of diseases which might be brought from abroad, he did not see why it should not be extended to a disease at home, which had been proved to be equally infectious and dangerous.

Sir J. Yorke said, that his two children had been vaccinated at the age of four or five, and that one of them took the small-pox at the age of twenty-two. He understood it to be admitted by persons who were favourable to vaccination, that vaccination was only safe for about seven years.

The resolution was agreed to.

Salmon Fisheries Bill.] Mr. Kennedy proposed the sending of the Salmon Fisheries' bill to a Committee above stairs.

Mr. Beresford said:—As representative for Berwick, a town whose chief trade consists in the produce of its salmon fisheries, I feel it my duty to oppose the hon. member's proposition of sending his bill to a committee above stairs; and the reason why I do oppose it I shall state briefly to the House. The Berwick fisheries are those to which the London market looks for a great part of what salmon it has a demand for; and the proprietors of those fisheries have certainly a right to be considered in an arrangement which so materially affects their property. According to the existing law on the river Tweed, the fishery or close time does not commence till the 11th of October. By the proposed alteration of the hon. member for Ayr, he would shut the river on the 16th September. Now, Sir, by the averages for the last thirty years there have been caught, between
the 16th September and the 11th of October, the time that my hon. friend wishes to deprive us of, one thousand two hundred and fifty boxes of fish, annually; which, at the small price of 1d. a pound, would leave my constituents who had property in these fisheries, losers of 4,000l. per annum; and, by closing the 9th January, in lieu of the present time, the last day of February, he would further deprive them of 3,000l. a-year. At this time the finest fish are got at Berwick. There are few hon. gentlemen who cannot bear me out in my assertion, that at this season they are most valuable in the London market. Indeed, they fetch at this season from 3s. to 4s. per pound, and several of the fishers look to the success of their fishing at that very period, for the means of paying their spring-rents. Thus, by the proposition of the hon. gentleman, in the short space of nine miles, the extent of the Berwick fishing property, which is reckoned from Nibour to the mouth of the river, my constituents would lose 7,000l. a-year, a sum which would utterly ruin their trade; and, as I cannot conceive that any general rule can apply to all rivers with justice to the proprietors of fisheries on them, I must oppose this bill.

The bill was recommitted.

Turner's Divorce Bill.

Tuesday, May 15.

Turner's Divorce Bill.] Lord Redesdale said, he rose to present a petition of more than ordinary importance. It was from Wm. Turner, esq. of Shrigleypark, in Cheshire; and prayed that their lordships would be pleased to allow a bill to be brought in, which should declare the marriage between his daughter, Ellen Turner, a maidens, under sixteen years of age, and Mr. Edward Gibbon Wakefield, to be null and void. With respect to the circumstances under which this marriage had taken place, it would be necessary for him to observe, that the parties concerned in bringing it about, had been lately tried and found guilty "of a conspiracy to carry away Miss E. Turner, and afterwards to compel her, by fraud and intimidation, to marry the said E. G. Wakefield." The case was an extremely novel one; for there had been none such for the last century. The only one of any thing like a similar nature with which he was acquainted, took place in the year 1891. The daughter of a Mr. Wharton had been run away with, and compelled to marry a Mr. Campbell. She was subsequently rescued from him; and a bill was brought into parliament, for the purpose of dissolving the said marriage. The bill had been first brought forward in the House of Commons; when it was determined, that the young lady was competent to give evidence, upon the principle, that, without her's, the body of evidence must necessarily be incomplete. The noble lord said, he had recommended the line of conduct which it was Mr. Turner's intention to pursue. From a consideration of the novelty of the case, he had been anxious that a petition should, in the first place, be laid before their lordships, and referred to a committee of the whole House. He was convinced that by these means the subject would be discussed with the most advantage.

The Earl of Lauderdale said, that the first thing to be taken into consideration was, whether the marriage was or was not valid; as the marriage must be proved to be valid, before their lordships could proceed to dissolve it.

Lord Redesdale said, that what the noble earl had just stated, afforded a strong reason for referring the petition to a committee of the whole House; in which all questions falling under their consideration could be discussed.

The Earl of Eldon said, he did not rise with the intention of giving a judicial opinion upon the subject. He was merely anxious to throw out a few suggestions for the consideration of their lordships. Taking the marriage to be valid, or taking it to be invalid, in consequence of force having been used, their lordships should consider, that before they could proceed to set aside that marriage, they should be satisfied that it was held to be a valid marriage. He apprehended, that the case was one of a very peculiar nature; and that its peculiarity arose from the difficulty of having a decision in the Ecclesiastical Courts, upon a suit brought forward for the purpose of setting aside the marriage. If he had been rightly informed, the difficulty turned upon this circumstance—that the evidence of Miss Turner would not be received; but if that evidence could be received, although not in that court, the question for their lordships would be simply this: whether they would or would
not interfere? In the case of Wharton v. Campbell, in which the lady had been taken away by force, the court decided upon the principle of the statute of Henry 7th, and held that, although after the lady had been forcibly carried off, a marriage might have been entered into, with her full consent, that subsequent consent was not sufficient to quash the previous force. Such a case as that to which their lordships' attention was then called, he believed had never yet been heard of in a civilized country; or, at least, in a country so highly civilized as England. And, provided their lordships could satisfy themselves that the lady's evidence, if given in the Ecclesiastical Court, would be sufficient to satisfy that court that the marriage was not valid—and if they could satisfy themselves, that the Ecclesiastical Court would decide that there was no marriage—the question for their lordships to consider would be, whether (since, of necessity, various processes must be carried on in the Ecclesiastical Court before there could be a decision there), they would or would not, under all the circumstances of the case, then think proper to bestow more prompt justice? Such was, at least, his view of the subject.

The Earl of Lauderdale said, there was still another view which ought to be taken of the subject. He was of opinion, that it would be much better to have a general act passed, to legalize evidence such as that which appeared to be so essential in the present case, than for their lordships to assume a dangerous jurisdiction, and take upon themselves to decide points of law, which did not, in the first instance, fall within their proper cognizance.

It was then ordered, that the petition be referred to a committee of the whole House, on Thursday next.

Corn Laws—Lord Redesdale's Resolutions.] The order of the day being read,

Lord Redesdale said, he was anxious to make a few observations, in proposing a series of Resolutions, of which he had given notice, with reference to the Corn-laws. The unfortunate event which had prevented the noble earl, who was recently at the head of his majesty's government, from doing that which he had intended to do, had led to one very great inconvenience—the resolutions which had been proposed to the other house of parliament having spread a great degree of alarm throughout the country; the natural consequence of which was, that a variety of petitions from all parts, thronged their lordships' table; upon almost every one of which, a kind of desultory debate had arisen, oftentimes when the House was by no means full; consequently, the consideration of this important subject had been as yet of a very unsatisfactory nature. It was, therefore, suggested, that the only way to remedy the evil was, by offering to the House certain resolutions, which might at once lead to some definite result. He had, in consequence, drawn up a series of resolutions, which he meant to propose should be laid upon their lordships' table, that each noble peer might have an opportunity of examining them. In considering this subject, the principal guide he had taken, was an able speech, delivered by the noble earl recently at the head of the government, during the session of 1820, when a motion was made by a noble marquis, for the House to go into a committee on the state of the foreign trade of the country; in the course of debating which, the subject of the Corn-laws was introduced. The noble earl then at the head of the Treasury, upon that occasion objected to the discussion of a subject, tending, as he stated, to change the law as it then stood. In the course of his speech, the noble earl deprecated such discussion in the following terms: "Let the law," said he, "be considered as fixed, and then any person may know how he is to act, and on what terms he is to make his bargain; but if the law is to be continually changing, and vacillating from one side to the other, it will be impossible for the landlord, the tenant, or the merchant, to form a correct judgment; it will be impossible for the landlord to know at what rent he is to let his land, for the cultivator to know on what terms he is to take it, and for the corn-dealers to ascertain in what manner their arrangements are to be made." Their lordships were aware that the corn commerce of the country was now carried on almost exclusively between the farmer and the corn-dealer, and that the article was conveyed almost entirely by the corn-dealer to the consumer. Our old habits had nearly become extinct; and, with few exceptions, farmers, instead of baking their own bread, procure it from the baker. The noble earl at the head of the government had, in
1820, deprecated any change in the then system of Corn-laws. He had then said, that whatever inconvenience might result from them, in the state in which they stood, the landlord, the tenant, and the dealer, would be aware of the precise circumstances under which they were placed, and every thing would be settled; but if a change were made—if one day, we had one system, and another day another, such vacillation would give rise to more inconvenience than the existing laws by any possibility could affect. There was so much wisdom in these observations, that he confessed he was surprised when he heard, in 1822, the same noble earl considering what alterations could be made in those very Corn-laws; and 'still more so, when, during the last session of parliament, that noble lord brought forward a certain resolution, to which he (lord Redesdale) offered his most strenuous opposition. This resolution was grounded on the fact—a fact it certainly was—that there was in the country a great body of manufacturers unemployed; and, to remedy this evil, it was proposed to introduce into the market of this country a quantity of foreign corn, in order to reduce the price which corn then bore; and this was to have precisely the effect of taking so much out of the pockets of our home-growers of grain, to supply the exigencies of cotton and other manufacturers—to give bread at a certain rate cheaper; as much so as it could be made by four or five hundred thousand quarters to some eight or nine millions of people: and, at the same time, this arrangement had another object in view, which object was, neither more nor less, than to enable the public revenue to participate in the plunder. By this means a certain sum was put into the public treasury, which sum was taken out of the pockets of all those who were then in possession of British corn. It did then appear to him, that such a measure was one of a highly impolitic nature; and, notwithstanding he felt the greatest respect for the noble earl who proposed it, and whose administration he had, to the best of his abilities, long supported, he had held himself bound in the strongest language, and in the most uncompromising manner, to oppose it. However, that was past; but he then felt, that there must have been the most extraordinary change in the opinions of the noble earl, if such opinions he did entertain; and, in consequence of this feeling, he reverted to the opinion stated in 1820, thinking it the sounder and best founded—when the House agreed to abide by, and for a time did abide by, their resolution, that the Corn-laws should not be interfered with, but should remain as they stood. The resolutions he now proposed to offer to the House, were, in a great degree, what might be called self-evident propositions; yet they had been disputed. The noble earl, to whom he had been referring, in 1823, took it as undisputed and indisputable, that, “the agriculture of the country was the great basis of its power and wealth.” He also considered, as a matter of course, that agriculture would not be as important as it was, but for the trade and manufactures of that country. And, surely, it was a fact, that the population, did give a stimulus to agriculture; that as the population increased, agriculture would flourish; and, therefore, that it unquestionably urged to the cultivation of the land. But, what he would ask would be the state of that country, what would be the state of its trade, and its manufactures, if it were not cultivated? Agriculture was, therefore, the first step—the original source—of the improvement of both these branches; without which, neither of them could continue to flourish. The first proposition he had to make was—“That the wealth and strength of Great Britain, originated in the cultivation of its soil, and must always be dependent on that cultivation, whatever other advantages the country may possess.”

In making use of the word “wealth,” he begged to say, that it was used by all good political economists, as all that constituted the well-being of a country—as the common-wealth. It was of little consequence how much gold or silver, or precious stones, it possessed; it was to this well-being of the country (and wealth taken in this sense) that the attention of government was and ought to be directed. By this word was evidently meant the cultivation of the land; for without it, what would any country be? Should we be satisfied to exist like the savages of America, as hunters of wild beasts, or like the patriarchs of old, as the keepers of flocks? Yet such must be our state without the cultivation of land; for to such cultivation, all the blessings that followed trade and manufacture were owing. Let their lordships for a moment, picture to themselves, the barren wilds of Africa,
Why were they barren? Because they could not be cultivated. If they were capable of receiving cultivation they would soon be peopled as thickly as were those little productive spots that were here and there scattered over them. Suppose that the skill and intellect of man could make those barren deserts as fruitful as the fertile plains of Egypt, what a difference would there then be from that which now was, where the solitary caravan travelled leagues upon leagues, depending for their subsistence only upon the provisions they carried with them. And suppose, also, that some visitation of Providence converted this country into a waste as barren and as unproductive as the African sands, and equally incapable of cultivation, what would then become of its numerous population? They must at once fly the kingdom, and our trade and manufactures must necessarily fail. It had been the fashion with late political writers to hold up to ridicule all those who, of old, had written on the subject; but he would, nevertheless, refer their lordships to a paper in the Spectator—one which was attributed to the pen of sir Richard Steele, which was very applicable to the subject. He supposes (with reference to another topic) that the power which had created this fair island, were to raise out of the sea a country equal in extent to this, and to join that country to ours. The question would then be, whether such a junction would strengthen that land which previously existed, being as it would be, without inhabitants and without cultivation. Certainly not, but, on the contrary, it would weaken ours. Now, he would say, that the man who wrote this Essay, knew more of political economy than ever Mr. M'Culloch did. But, on the other hand, suppose that the Divine power had raised out of the sea a country of equal population and cultivation with ours, and with equal trade and manufacture, then the case would be altered. Then our island would be strengthened—then Great Britain would possess double the strength which it now possessed. Another of the old writers, sir W. Dugdale, in describing a vast tract of country that had been gained from the waters, said, "where there was formerly nothing but wild ducks, there are now good land, good villages, and good roads," and he went on to comment on the curious complaint that was made, when it was first proposed that those lands should be reclaimed and cultivated; namely, that the markets of London would not be so plentifully supplied with wild ducks. After this, he proceeded to observe on the fact, that the counties of Northampton and Somerset were both nearly of the same size; that the one was enclosed and cultivated, and that the other was open, and, to a great degree, a mere sheep-walk; and that the natural consequence of this difference was, that the inhabitants of the enclosed county were double, that its productions were double, and that the taxes it paid were double, those of the open county. He then went on to show the advantages possessed by the one over the other, and the consequent advantages of cultivation. Now, our modern political economists would describe this as nothing more than absurdity; inasmuch as they assert it to be folly to cultivate any but the most fertile lands. He (lord Redesdale) had happened unfortunately to peruse the public papers, at the very time when Mr. M'Culloch's book was published, and in them he had met advertisements for the sale of estates in New South Wales and Van Diemen's Land, some of which were described as being let at a rent of 700l. per annum. How came it that those lands yielded such a rent? Why, the advertisements gave the answer—because they stated, that upon them were farm houses, to which were attached barns, orchards, gardens, and other requisites—that the lands were divided into pasture and tillage, and the divisions enclosed. Now, it was these circumstances that created the rent; but if, by Fortunatus's wishing-cap, or by some such means, such lands were transported into a part of the country in which there was no cultivation nor any roads, although they might remain in precisely the same state, they would produce no rent. It was to the improvement that every where took place, that the productive rent was owing. And by whom was this improvement originally made, but by the landlord? It was he who built the barns, and prepared the lands for the subsequent cultivation of the farmer. Yet, our political economists, not only Mr. M'Culloch but Mr. Ricardo, had taken it into their heads, that land was a machine; when it was in reality no more so than the oak tree from which the machine was afterwards formed. The system of cultivation, he considered to be a complicated system, requiring a great capital; and one of the
vices of the present system was, that it would destroy that capital. It was a most desirable object, that the system should be rendered profitable; and that object was so stated in the act of Charles 2nd, on which the Corn-laws were founded. In that act, cultivation was urged, not only with a view to make the waste lands valuable, but to make valuable those lands which were already improved. The noble lord then proceeded to comment, in terms of approbation; on the conduct of a gentleman who had reclaimed a large portion of waste land in the neighbourhood of his estate. But the wealth of the country was not alone to be considered; the strength of that country was an important object. He had the best authority for saying, that "when a strong man keepeth his goods, he resteth in peace; but when a stronger than he cometh, he taketh his goods, and taketh from him that which he hath." It was then important, that we should have strength to keep the wealth which we possessed, and that strength depended mainly on our agricultural population, and on those Navigation laws, which gave us power at sea.—The noble lord then entered into a detail of the origin and nature of the Navigation laws, and described the militia of the country, as contributing to its protection and tranquillity. His second and third resolutions were as follow:—

"That the cultivation of the soil of a country is a trade and manufacture, and is so far the most important trade and manufacture in every country, as every other trade and manufacture must depend upon it.

"That, though the production of corn for the food of man is, in Great Britain, one of the most important objects of cultivation, yet the means of obtaining the production of corn, the quantity purchased, and the profit to be derived by the cultivator from the production, are all dependent on many other objects of production, and especially on the production of animals, and of food for animals, and on the further produce or other benefit derived from such animals; and the general profit of the cultivator is the result of the combination of all the several articles so produced, each article contributing to the more profitable production of the rest, the amount of the whole production at the same time greatly depending on the capital and skill employed in raising the land for the purposes of cultivation, and on the capital and skill employed by the cultivator: and it is the combined effect of all these operating causes which gives plenty from cultivation, and renders cultivation profitable."

He considered this branch of the subject as highly worthy their lordships' consideration. They ought to bear in mind, that the price of corn depended, in a great degree, on the price which the farmers were enabled to procure for their wool. Their lordships had upon their table many petitions stating the great evils that had arisen from the importation of foreign wool, and that, when this was permitted, there was no scarcity of the article in the country, but that, on the contrary, nearly every wool-stapler in the country had one or two years' stock, which he was unable to dispose of at any price, yet he would venture to say, that not one of their lordships found his cost cost him less than it did before this importation was permitted. The same observation would hold good of leather, and other articles. When he was a young man, he commonly paid 5s. for his shoes, and now he was in the habit of paying for them 17s. 6d. Now, if he received the same rent when he paid for this article only 5s. as when he paid for it 17s. 6d., what must be the consequence? To prove that the price of corn had not kept pace with those of other articles of produce or manufacture, it was only necessary, he would repeat, to refer to the price of shoes. Formerly an agriculturist could purchase a pair of shoes for the price of a bushel of corn: now they cost the price of two bushels and a half. The taxes, too, formed a material point for consideration; for, where the price of a bushel of wheat had been sufficient, in former times, to pay the taxes of a farmer, the price of twenty bushels now would hardly suffice. Their lordships must see, therefore, that corn could not now be sold for the same price at which it was disposed of sixty or seventy years ago.—The noble and learned lord then proceeded to contend, that rents had not been raised in any thing like the proportion which some people imagined, and instance a farm which paid 60l. a year rent in 1675; the present rent was only 180l. The whole of the increase in the price of corn had been caused by the increased expenses incurred in agriculture. The next Resolutions ran as follows:—

"That the laws now in force, regulating
the importation of foreign corn, are founded on the principles expressed in the foregoing resolutions, having in view the extension and improvement of the cultivation of the country, the increase of its productions, and insuring to the improvers and cultivators of the country the just reward for their expenditure and labour, as expressly acknowledged in the preamble to the act of the 15th year of the reign of king Charles 2nd, intitled, 'An Act for the Encouragement of Trade,' in these words:—'Forasmuch as the encouraging of tillage ought to be, in an especial manner, regarded and endeavoured; and the surest and effectual means of promoting and advancing any trade, occupation, or employment, being by rendering it profitable to the users thereof; and great quantities of land within this kingdom, for the present lying in a manner waste, and yielding little, which might thereby be improved to considerable profit and advantage (if sufficient encouragement were given for the laying out of cost and labour on the same), and thereby much more corn produced, great numbers of people, horses, and cattle, employed, and other lands also rendered more valuable.'

"That under the encouragement proposed by the said act of the 15th of king Charles 2nd, and many other acts since made, in conformity to the principle expressed in the preamble to that act, great quantities of land, which were in the 15th of king Charles 2nd lying waste and yielding little, have been improved with great cost and labour, and much more corn has been produced, and great numbers of people, horses, and cattle, have been employed, and a population, very greatly increased in number, and consuming a much greater quantity of corn in proportion to their number, has been provided with food by means of the improvements so made, and the produce of the country has thereby become equal to provide for such increased population, both with corn and other food, in great abundance; unless by the dispensation of Providence, the extraordinary inclemency of a particular season should happen to render the production of that season considerably less than the production of an ordinary season.

"That under the apprehension of the possible occurrence of such extraordinary season, and the consequent failure of crops, provision has been made in the said act of 15th Charles 2nd, and in all the subsequent acts respecting the importation of foreign corn, to prevent the scarcity which might be produced by inclement seasons, the importation of foreign corn being allowed whenever the prices of home-grown corn, estimated according to the value of money at the several times of passing such acts respectively, should indicate so great a failure of crops, as to raise just apprehensions, that the produce of the country might be insufficient for the consumption of its inhabitants; but at the same time allowing to the home-growers of corn the benefit of a rise in the prices of corn, corresponding with the deficiency in the quantity produced, and thereby compensating to them, by increase of price, the loss which they would otherwise have suffered by deficiency in their crops, whenever that deficiency did not, by an extraordinary rise in price, indicate the danger of distressing scarcity.'

The act of the 15th Charles 2nd might be termed the foundation of the Corn-laws, although something of the same nature had been enacted in the reign of Edward 4th. The noble and learned lord here contended, that unless the agriculturist was protected, a breach of the public faith would be committed; for, under his faith in acts of parliament, he had laid out his money in improvements and prosecuting agriculture. Their lordships would be shocked at any thing like an approach to a breach of faith with the public creditor; yet he would contend, that the public faith had been equally pledged to the agriculturist. Moreover, if the claims of the landed interests were scrupulously examined, it would be found that that class had been eminently beneficial to the country, particularly during the last thirty years; having, by the encouragement held out to them, been induced to apply their capital to the extension of agriculture, until the amount of produce had been so increased, that, unless in very bad seasons indeed, the produce of the soil was equal to the consumption of the country. The same principle had been applied in Sweden with the same success.—The next Resolution involved the question of what was really the price of corn at the present moment, and was to the following effect:—"That, considering the present value of money, and the great rise of prices of almost every article of consumption, and the great increase of burdens imposed on
the people of Great Britain, and especially on the produce of the soil; the prices of 6s. for the quarter of wheat, of 32s. for the quarter of barley, of 24s. for the quarter of oats, and of 36s. for the quarter of rye, peas, and beans, cannot be considered as indicating such a deficiency in the quantities of the same different sorts of grain produced in the country, as to warrant any apprehension of scarcity; and, on the contrary, those prices are not more than sufficient to remunerate the corn-growers for deficiency of crops in ordinary years, as they are very little above the prices in very plentiful years, when the prices are always lower than fair remunerating prices in an ordinary year, as the supply in such very plentiful years greatly exceeds the demand, and the surplus forms part of the consumption of the succeeding year, and often at an advanced price."

His lordship here proceeded to contend, that much of the increase of the price of grain was caused by the luxurious habits in which the present generation indulged, and referred to the state of distress into which the trade and manufactures of the country had fallen, attributing it to the causes pointed out by Lord Liverpool in the year 1820; namely, the excess of manufactures, speculations in trade, and a sudden desire to grow rich. It was, therefore, very unjust that their lordships should be called upon to injure the agriculturists, because the manufacturers, by the introduction of machinery, had been enabled to dispense with many of their workmen, or at least to reduce their wages, and thus put it out of the power of those poor people to purchase, for the produce of their labour, the same quantity of corn as formerly. The next Resolution furnished matter for grave consideration; namely, whether there must not, of necessity, be, from time to time, a variation in the price of grain. That Resolution was to the following effect:—

"That the continual and great variations in the prices of different sorts of grain during the course of above one hundred and fifty years, of which there is clear evidence, demonstrate that assuming certain prices for each or any species of grain, as the prices, or nearly the prices, for which such grain may be sold with advantage to the producer in every year, is an attempt to do that which is impossible; and, on the contrary, that the fair prices of each year must depend on the amount of the produce of each year which may vary so greatly from year to year as to make the fair prices in one year greatly exceed or greatly fall short of the fair prices in another year."

The effect of the seasons must always produce variations in the prices of produce; and, in the returns laid upon the table, their lordships would see, that a variation in price was as frequent, and more considerable, in foreign countries, than in England; a fact attributable to our improvements, and superior skill in agriculture, which enabled us to combat with the effect of the seasons. The consequence was, that the prices were more steady in this country than in any other. The great misfortune of the present plan was, therefore, that it was an attempt to do that which could not be done. The ninth Resolution was to the following effect:—

"That to allow the importation of foreign wheat into Great Britain at all times, without payment of any duty on importation, and to permit such wheat afterwards at any time to be entered for sale on payment of a duty of 20s. only, whenever the average price of wheat, taken weekly in certain districts, shall amount to 60s., and to impose a scale of duties, increasing as the average price should fall below 60s., and diminishing as the average price should exceed 60s., would be to fix indirectly the price of 60s. for the quarter of wheat, as the highest price for which wheat should be sold, even in the most unfavourable years. Inasmuch as foreign wheat may generally be obtained at so low a price, that on payment of a duty of 20s. only, it can be brought into the market for sale, with considerable profit, at a price below 60s. the quarter; and if a proposition to that effect should be made law, wheat produced in Great Britain can never be sold at a higher price than 60s. the quarter; and the effect of such a law must be to keep the price of wheat at all times under 60s. the quarter, whatever failure may happen in the home-grown crops."

The consequence of the warehousing of foreign grain would be, that whenever the crops of this country should fail, and that the price reached beyond 60s., the whole quantity of grain then in warehouse would be released, and thrown at once into the market. The opportunities for such an operation would occur more frequently than perhaps, their lordships imagined. If, therefore, large quantities of foreign grain
should be thrown into consumption at a duty of 20s. per quarter, it would be impossible that the price should ever—no matter how unproductive the season might have been in England—rise beyond 60s. so that, in fact, the British farmer would be a loser by both good and bad seasons. Another grievance of which the agriculturist of the present day had to complain was, that he sold not to the consumer, as his predecessors had done, but to the dealer. Of the increase of this latter class, their lordships might form some idea from the fact, that in one small market town, there were no fewer than sixty-four corn dealers. These had their profits, no doubt, on the article which they supplied to the consumer; so that it was not unfair to suppose, that although the market price might appear to be 60s. per quarter, the price obtained by the grower for his wheat, did not exceed 55s. They must also consider the effect of the vast increase which had taken place in the population. In London the population had been, within a comparatively short period, doubled. There was a similar increase in other places. The town of Cheltenham, for instance, had been, within his own memory, a mere trifling village; and now it contained no less than twenty-three thousand inhabitants, who went there to drink the waters, to dance, and to amuse themselves. The country, therefore, could not be supplied at present with food at as low a price as formerly. The spirit of dissipation and loco-motive disposition, which kept people constantly moving about, as if they had discovered the perpetual motion, rendered it impossible to obtain food at the moderate price of former times. Under these circumstances, to judge of the present by former times was a mistake. Really corn was now, relatively speaking, one of the cheapest articles in the market. Then, the importation of foreign wool, by depriving the farmer of the price of his skins, necessarily compelled him to increase the price of his corn. With respect to the bill before the House, the very title of it was an absurdity. It was denominated, “An Act for Imposing certain Duties and Customs on Foreign Corn,” and not “An Act for regulating the Trade in Foreign Corn,” as it might have been expected it would be called. The preamble of the bill, as well as the title, was opposed to all precedent. However, that preamble accurately described it; for it was an act for granting duties and customs on corn. The effect of the bill would be, to impose certain duties on the importation of foreign corn; which duties were to vary according to the average price of British corn. These duties would, in reality, be paid by the corn-growers of Great Britain; for the introduction of foreign grain must diminish the prices of agricultural produce in this country, and push a corresponding quantity of English corn out of the market. The duties would be a new land-tax, to all intents and purposes. What would be the effect of the proposed measure upon Ireland? Ireland, at present, had an open market for her agricultural produce in this country; because Irish corn paid no duty on its arrival in England: and the consequence was, that there was an immense increasing importation of grain from that country. The noble lord then proceeded to argue, that the effect of the proposed bill would be, to inflict a serious injury on the agricultural interests, not only of this country, but of Ireland. If the present measure were to be the means of introducing a million quarters of foreign grain into this country, the same quantity of Irish corn would be shut out from our markets, or other branches of our home production would be impaired. We had various institutions in these kingdoms (an Established Church amongst the rest), which had the effect of increasing the price of corn. In foreign countries it was different. There the proprietors were glad to sell their commodity for almost any price they could obtain. It was unfair to expose our English farmers and land-owners to a competition with foreigners on such unequal terms. He believed the present bill, if passed into a law, would have a most mischievous tendency on our native agriculture, and reduce this country to something like the distressed condition of Poland, while it would go to raise Poland and other foreign states, to a participation in the affluence which it had been hitherto our lot to enjoy. The measure would be alike injurious to the manufactures, trade, real wealth, and agricultural prosperity of the country; and on these grounds it should encounter his determined opposition. The noble lord concluded by moving for a committee of the whole House, to take into consideration the proposed Resolutions, with a view to decide whether their lordships should reject or agree to the law relative to the importation of foreign corn.
Lord Goderich said, he trusted their lordships would agree with him in thinking, that it would be more convenient to abstain from discussing, on that occasion, either the general principle, or the particular details of the bill which stood for a second reading on Friday next; because, although it was true that many of the topics contained in the Resolutions presented by the noble and learned lord were more or less directly connected with the subject of that bill, yet it was quite clear that if he attempted now to enter into a full exposition of his views on the subject (as he intended to do on Friday), he should undertake a task infinitely beyond his strength and competency at that moment, and more than the patience of their lordships would endure. The resolutions of the noble lord embraced not only the bill before the House in its principle and details, but likewise the largest questions of government—questions of internal policy, and every possible topic connected with the intercourse of this country with foreign nations. All those subjects were of the greatest importance, and, for ought he knew, it was very reasonable they should, at a fit time, be taken into consideration; but, to have them thus mixed up together in resolutions, and voted in a mass, would be inconsistent with the practice of a legislative assembly. The bill, which he should move the second reading of on Friday, was a practical measure upon which their lordships would be called upon to pronounce "ay" or "no;" but the resolutions were, in fact, a series of essays on political economy; and it would be an out-of-the-way course for their lordships to express their approbation of the opinions contained in them by a formal vote. It would, indeed, he thought, be highly impolitic in their lordships to establish by their vote all the propositions contained in the resolutions to be matter of fact. There was one circumstance, too, which would render it impossible for their lordships to adopt any one or more of the resolutions unless they adopted them altogether—namely, that each successive resolution was founded upon the reasonings of the one which preceded it. They must, therefore, take them in the lump, or not at all. If they adopted some and rejected others, there would appear only a skeleton of what was originally proposed. The resolutions would, necessarily, appear on the journals of the House; and he hoped that that would satisfy the noble lord, and that he would not press the matter further.—He would proceed to state very briefly his reasons for not concurring with the resolutions. In the general bearing of the first resolution; namely, that agriculture was the basis of the prosperity of this country, he contained those ideas, if they agreed; although he thought some allusion ought to have been made to the other sources of our wealth. The second resolution however declared, that agriculture was "a trade and manufacture, and is so far the most important trade and manufacture in every country, as every other trade and manufacture must depend on it." Now, he could not admit, as an historical matter of fact, that agriculture was the most important trade in every country. That it was not the fact was indeed proved by the example of many states—small ones, he admitted, but once exercising an important influence in the affairs of the world, and amongst others of Genoa, Venice, and the United States of Holland. The power and greatness of those states by no means depended on agriculture, and he did not think their lordships should pass that resolution, they would affirm what was not matter of fact. The third resolution appeared to contain an error in reasoning. It stated, that the profitable cultivation of the land depended on other objects of production, and particularly on the production of animals and the food of animals; but it was well known, that in countries which were most celebrated for the production of corn, those other productions were little regarded and of little value. If, therefore, they agreed to this resolution, they would, in a second instance affirm that which the state of the world contradicted.—The fourth resolution declared, that the laws now in force regulating the importation of foreign corn were founded on the principles expressed in the foregoing resolutions. That was not an accurate statement. The laws at present in force on that subject had no reference whatever to those other articles of production upon which the noble lord had placed so much emphatic stress in the third resolution. With respect to wool, the act of Charles 2nd, from which the noble lord dated the system of which he was so fond, not only imposed no duty on the importation of foreign wool, but even confined the consumption of English
wool to this country alone. It was therefore impossible to say that the old law was founded on the principle of the resolutions; which was to extend protection to agricultural produce of every description. The 15th of Charles 2nd, the preamble of which was quoted in, the noble lord’s resolutions, did not proceed upon the principle of those resolutions. It never allowed of a free export of corn. When the price reached 45s., export was prohibited. Under the same act foreign corn was admitted upon payment of a duty of 4s. 4d., until the price arrived at 48s., after which it was admitted upon payment of only 8d. duty. The act in question, amongst other things, imposed a duty of 20s. per head on all lean cattle imported from Scotland between the months of August and December. The noble lord opposite (Lauderdale) must doubtless consider that as a barbarous piece of cruelty towards his countrymen. He mentioned this to show that the enactments of the law which had been referred to did not bear out the theory of the noble lord. The noble lord had quoted from the “Spectator,” and had contrasted the opinions of sir Richard Steele and Mr. M’Culloch. It was to him (lord Goderich) a matter of perfect indifference which of those two persons was considered the most eminent political economist. He had never subscribed to all the doctrines of Mr. M’Culloch, nor any other teacher of that school—“nullius additus jurare in verba magistri.” He might, perhaps, occasionally puzzle himself with the essays of the political economists, which, he believed, likewise puzzled their authors; but he was not, therefore, wedded to their opinions. About the time, however, to which the noble lord had referred, as presenting a contrast with the present period, which was favourable to the state of agriculture, namely, the reign of George 1st, it happened, that the most woeful complaints were made of the degraded state of the agriculturists. The publications of that day stated, as the noble lord now did, that agriculture would be ruined, and that the constitution of the country would be involved in its destruction. During a considerable portion of the 18th century, agriculture was stationary; but other things connected with agriculture were not. The population continued to increase, and the greatest possible distress prevailed in this country, on account of the high price of corn. This was the case between 1763 and 1773. What, then, led to the change of the law in 1773? Why, that change was made, because, in the ten years preceding, it had been found necessary to pass eighteen or twenty acts of parliament to meet the contingencies occasioned by the old system. Was, then, that system so all-wise, so beneficial, so favourable, to the interests of agriculture, as it had been represented? In 1773, a change was effected; the plan then introduced continued to be acted on until 1815; and it was to the principle of the law of 1773, that they were now endeavouring to return. Between 1773 and 1815 the progress of trade, of manufactures—in short, of every thing connected with the welfare of the country—was as great as the most anxious mind could wish. That extension of industry, that accumulation of wealth, was effected under the very system of laws, the return to which was now considered by some individuals as a dangerous innovation. It was for the noble lord who had introduced these resolutions to controvert that fact if he could. The correctness of his statement was shown by the vast number of enclosure bills which had been passed during the period he had mentioned. Therefore, he contended, that this resolution of the noble and learned lord led to a most erroneous conclusion; because it went to establish the proposition, that the system which had been set on foot in the time of Charles 2nd, and acted on down to the year 1773, was the cause of all the strength, power, and prosperity at which this country had arrived. He had made these detailed remarks on the resolutions of the noble and learned lord, although he thought that the objection which he had first stated was sufficient to prevent their lordships from supporting this series of resolutions, which constituted a sort of politico-economic thermometer, if he might be allowed to use that expression. He certainly could not, on the grounds the noble and learned lord had stated, bring himself to acquiesce in the propositions brought forward. He wished to advert to one or two other points connected with these resolutions, which also involved principles that it was impossible for him to agree with. In the thirteenth resolution, the noble and learned lord had dwelt much on the assumed fact, that the payment of foreign corn had been, and would
be, made in coin. Now, he apprehended that this resolution, if it had any object at all, was intended to lead their lordships to believe, that the trade in corn (not an immoderate), but any trade in corn, was likely to operate prejudicially to the interests of the country, by inducing a large export of coin. He should not combat this proposition, on theory, lest he might be considered a political economist, and thus excite the displeasure of the noble and learned lord. He should confidently appeal to the evidence which their lordships had lately received on this subject; by which it was clearly shown, that corn was not to be paid for in gold, or if so paid for, that that gold was not to leave the country altogether; and he must say it was a most unreasonable fear to suppose that they could not have a trade in foreign corn, without causing a drain of gold out of the country. Last year two million of quarters of foreign corn were imported, the cost of which would be upwards of two million sterling. Now, if the noble and learned lord's proposition were true, that corn must have been paid for in gold. But how stood the fact? Why, during the whole of that year, the exchange was so much in favour of this country as to make the export of gold, in return for corn, the very worst speculation that could have been entertained by any mercantile man. During that time bullion was imported into the mint, and coined, to the amount of no less than six million of sovereigns. The rate of exchange had been such, that it was not worth any body's while to buy corn with gold. What occurred in 1824 and 1825? The exchanges were then unfavourable from various causes, and the exportation of gold was considerable; but yet he would undertake to say, that in those two years, not a single sovereign went to Danzig, or to any other part of the world, for corn. Even the sovereigns exported in 1824 and 1825 in casks, and which were placed in the Bank of France, came back to this country in the same casks, which had never been opened. He therefore, with these facts in view, could not affirm a resolution, which implied that a more open importation of corn would draw all the gold out of the country. This he had alluded to as a general proposition, which, if the subject were at all considered, could not be affirmed. He begged leave to say one word on the topic to which the noble and learned lord had last adverted; he alluded to the question of free trade. Those resolutions were manifestly directed against free trade; but they did not explain, neither did he think the speech of the noble and learned lord had explained, what was there meant by free trade. If the noble and learned lord understood by free trade, that all foreign articles were to be admitted into this country without paying any duty, then he must say, that such was not his (lord Goderich's) idea of free trade. His idea was, that this country should not allow any prohibition. And why? Because experience proved, that prohibition, with regard to manufactures, was the veriest illusion that ever entered the mind of man. There was no effectual mode of establishing a prohibitory system, so long as money was in existence. Money would defeat all prohibitions. He was a friend to that free trade which encouraged the honest dealer; but he was unquestionably an enemy to the free trade of the smuggler. He conceived it was a most praiseworthy object, to aim at the destruction of that pestilent free trade; one of the greatest evils, moral and political, by which any country could be afflicted. Such was his feeling; and, if their lordships looked into the evils which were the result of the old system, they would participate with him in that feeling. If noble lords had, as was his case, been connected, for fifteen years, with situations having reference to the trade and commerce of the country, it would be impossible for them not to feel, in the first instance, the ill effects produced by this monstrous system of smuggling; and, in the second, that the only remedy for those evils was to give fair and free access to every description of foreign manufacture. He therefore felt, that they ought even to endure some degree of inconvenience, if by so doing they could put an end to this system of fraud; to this system of perjury; nay, he would say, to this system of murder which had been too long continued. At present they were obliged to surround their whole coasts with armies and fleets, to check the smuggler in his illicit career,—a proceeding which he contended was as inconsistent with the principles of a free constitution, as it was contrary to the best interests of the country. He had raised his voice against that system, and, in opposition to it, he had advocated the principles of free trade. He thought, however, their lordships had already given pretty unequivocal
proofs, that they sincerely approved of those principles; because they had supported and carried laws that were emphatically founded on those liberal principles and no other. In 1825, his majesty had recommended, in a speech from the throne, the adoption of those principles; and, what was their lordships' answer? In the address to the throne, they stated that they would give all the assistance in their power to any measures that would tend to remove those inconvenient and mischievous restrictions. Now, having, in 1825, given that pledge, it was utterly impossible for them to vote for the resolutions of the noble and learned lord, unless they were prepared to unsay and to undo what they had already solemnly said and done. He owned that he felt warmly on this part of the subject; because, if there was any portion of his public conduct in which he took a pleasure and a pride, it was in the support which he had given to the establishment of liberal principles, in opposition to those that were now brought forward by the noble and learned lord. He might take one of two courses on this occasion—either to move the adjournment, or to propose the previous question. But, as the motion was for going into a committee, he conceived the best thing he could do, was to move that this House do now adjourn.

The Earl of Lauderdale said, he could not suffer this discussion to terminate, without thanking his noble and learned friend for the talent he had displayed, the great pains he had taken, and the extensive knowledge he had shown in drawing up these resolutions, which, whatever might be their fate that night, must produce a strong effect on the minds of their lordships and of the country at large. Since they had been laid on the table, their lordships had not been assailed with that tissue of calumnies and lies directed against the landed interest, which the House had been in the daily habit of hearing for some time before. Those resolutions being placed on their lordships' Journals, containing as they did the soundest political doctrines, would go down to posterity, and would be read with admiration by future generations. He would have said little more on this occasion, but for the manner in which the noble lord opposite had treated some of the propositions before their lordships. He would deny the assertions of the noble lord opposite, with respect to the argument contained in the sixth resolution. That resolution set forth, that the act of Charles 2nd was efficient for the preservation of the agriculture of this country. The noble lord opposite denied this; and he asserted, that there never was a time when agriculture was in a state of greater distress than in the reign of George 1st, when the laws of Charles 2nd was in full force. The noble lord had alluded to the publications of that day, as a proof of the fact. Now, few men had read more of the publications of that period than he himself had done; and yet he could not charge his memory with the recollection of any work which stated such a fact. On the contrary, there was a fall of price, and no importation of corn. Therefore, he should conclude that there was at that period a sufficient production, and a sufficient market. He here begged leave to read to the noble lord a passage from a pamphlet written by a right hon. gentleman (Mr. Huskisson), whose authority, especially as he was a colleague of the noble lord, would, he believed, carry some weight with it. What that right hon. gentleman stated was, as he declared, the result of a consideration of this subject for thirty years. He said, that for one hundred and seventy years, the cheapness produced by importation was a proof of sterility, occasioned by want of cultivation; and he went on to observe, that a steady home supply was the proper means of ensuring a moderate price. "For a hundred years, up to 1765," the right hon. gentleman asked "what was the state of the country, with respect to corn? It was this,—that, under ordinary circumstances, their own ground supplied a stock of corn sufficient for home consumption, and in some seasons they even exported." At that period, the price of grain seldom varied more than a few shillings. Allusion had been made to the period between 1766 and 1773. Did corn at that time fall, in consequence of importation? Did the manufacturers then find that they had cheaper corn? No: for although that foreign importation was held out to the manufacturers as a great boon, their lordships would find, that from 1766 to 1773 the price of corn was raised; though the ports were open for the importation of grain:—As to the circumstance of gold being sent out of the country to pay for corn, he only knew that, some years ago, when the noble lord then opposite to him had contended, that a one-pound
not a fund in Europe that did not contain a large quantity of British capital. If the noble lord asked the Bank itself, or those who supplied it with the money to which he had alluded, he would find, that the money would not have been forthcoming, but for the demand which had been suddenly created in this country, on account of the speculations he had referred to, and the extensive sale of foreign stock. The influx of that six million of gold, then, did not surprise him, considering all the circumstances. — The noble lord had alluded to the subject of free trade; and now, to his astonishment, after having read the high eulogiums that were pronounced on free commerce by the noble lord when in the other House, he found that the noble lord only meant to make a few regulations to protect the trade of the country against smugglers. A system of free trade was, perhaps, better than a system of restrictions; but the continuance of such a system depended on universal peace and general brotherhood. If such a plan could be carried into effect, it must annihilate all these differences of commercial interests, which, in the present state of the world, could not be removed without subverting many of their existing commercial institutions.

Beyond that, he would remind the House, that the wealth of this country had grown and increased, under an opposite system, to an extent which it never could have attained by an adherence to free trade. That system had a tendency to enrich the world at large; and it was only by an exclusive system that Great Britain had arrived at her present height of riches and of power. He did not think it would be advisable to proceed with this discussion, as a bill would be hastily debated which would let in the whole question. Therefore he hoped his learned friend would be satisfied with the good which he had done by the publication of his resolutions, and that he would not press the subject further.

Lord Bexley contended, from a comparison of the number of enclosure bills, from the Revolution to the year 1773, and from the latter year to 1815, and also from a comparative view of the amount of population in both those periods, that the system which was in force prior to 1773 was not so beneficial as that which had continued from 1773 to 1815. From the Revolution to 1773, the number of enclosure bills was 690; from 1773 to 1815,
the number was 2,852. The increase in the population was equally great.

The Earl of Horsham argued, that the production of the country had been greatly increased under the system recognized by the act of Charles 2nd, and that the people were supplied with corn at a much lower price, in consequence of the protecting plan then introduced. If the noble lord looked to the period during which that act was in force, he would find, that corn was as low in this country as elsewhere. The noble lord had also stated, that while the war lasted, the law allowed practical importation. But, though the law permitted it, were there not circumstances that prevented the country from taking advantage of that permission? Could they, at that time, pay a sufficient price for foreign corn? The noble lord had mentioned the subject of enclosures; but, from what other circumstance did the great number of enclosures take their rise, than from the great demand for corn, which could not be supplied but by the cultivation of the land? Those enclosure bills did not apply to new lands, but to the old; in order that they might be cultivated in a more profitable manner. If the noble lord stated that the wealthy condition of the people, and the doubling of the population, was to be attributed to the alteration of the law in 1773, he was pressing a great many things into his arguments, which would not serve his purpose.

Earl Stanhope said, that, after the luminous statement which had been made by the noble earl near him, he thought it would be more convenient to postpone any expression of the feelings of the House until the second reading of the bill which had come up from the Commons. The noble viscount opposite had stated, that it was not the fact that foreign corn was paid for in specie. He supposed, therefore, the noble viscount had not read the evidence of sir Claude Scott, given to the committee of that House, who had stated, that he never knew a single instance in which corn was paid for but in specie. He was surprised, too, after all that he had heard said of the liberal system of free trade, which was to pour its benefits on the country, to find that that system had dwindled down into an insignificant plan for protection against smuggling. But, had it that effect? Their lordships knew, on the contrary, that the coast of the country was surrounded by armed men; they could not forget the expense of the preventive service. Their lordships were not called upon now to admit or reject the resolutions, but to refer them to a committee, and that the noble lord did not know how they could refuse to do otherwise. The proposed bill went to subvert the whole system of the Corn-laws, which a noble earl had stated, was intended to be a permanent system, and the final settlement of the question. He did not think that their lordships ought to pass that bill with the same levity as if it were a turnpike bill. They ought to investigate the principle upon which the agriculture of the country had been protected. What had been the effect of the free-trade principle with respect to wool? That was now, in many respects, an unsaleable article; and the value of the lands upon which wool was produced had diminished one half.

Lord Redesdale said, that, as he had recorded his opinion, by entering his resolutions on the Journals, he should not resist the amendment of the noble viscount for an adjournment.

Their lordships accordingly adjourned.

HOUSE OF COMMONS.

Tuesday, May 15.

TRADE WITH INDIA.] Mr. W. Whitmore rose, pursuant to notice, to move for the appointment of a Select Committee, with a view to extend the trade between Great Britain and India. When the House considered the distress which was on all hands acknowledged to exist among the manufacturing population—the decline of the revenue, which decline, since last year, was not less than four or five millions; and the decline of our export trade, which in the same time amounted to an equal extent—it became important in the highest degree to inquire how those evils could be remedied. He trusted, therefore, that if he could show, that a great increase of employment would result, from extending the trade with India, to the weavers of Scotland and Lancashire, government would lend a favourable ear to his proposition. But it was not on the existence of this distress that he rested the question. That distress might be, and he hoped it was, of a temporary nature. The resources of the country could not be so much reduced as to prevent the return of the prosperity it had heretofore enjoyed.
Trade with India.

He wished the subject to be viewed in a more comprehensive manner. Whoever considered the heavy burthen of debt which weighed down the energies of the country, and the part she must be destined to play among the nations of the world, in the wars in which, in all probability, she would be again engaged, must see how exceedingly desirable it was to extend, by all practicable means, the resources of the country, and to avail ourselves of a period of peace to lighten the springs of our industry, and restore their elasticity.—With regard to Ireland, it was evident, that every thing ought to be done that was possible to promote the growth of the manufactures which, he trusted, had commenced there. The friends of that country, who did not exist; but the mere removal of those dissensions which weighed down the energies of the country, who did not seek to serve it, and yet they were now underselling the Indian in his own market, though labour cost here seven or eight times as much as it did there; and though we had to draw the raw material from thence over half the globe, and send it back manufactured over the same half of the globe. He had spoken of names. They would find the definition of "calico" given in Johnson's Dictionary, to be—"cotton stuffs made at Calcut, in the East Indies, sometimes stained with gay and beautiful colours." We might look at this new and sudden enterprise of our commerce with astonishment and pride: but we were bound, by all the ties of honour and honesty, which belong to policy and good government, to consider the injury which this success must bring on our Indian fellow-subjects. He had returns of exports and imports to India, some of them as low as 1822. The hon. gentleman proceeded to state the annual averages of the exports and imports in several departments, which he stated nearly as follows:—

**Exports from Great Britain to India.**

**Woollens.**

<table>
<thead>
<tr>
<th>Year from</th>
<th>Year to</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1801 to 1810</td>
<td></td>
<td>£373,300</td>
</tr>
<tr>
<td>Ditto 1814 to 1822</td>
<td></td>
<td>376,399</td>
</tr>
<tr>
<td>Ditto 1823 and 1824</td>
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<td>963,061</td>
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**Cotton Goods.**

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<tbody>
<tr>
<td>1801 to 1810</td>
<td></td>
<td>£ 55,461</td>
</tr>
<tr>
<td>Ditto 1814 to 1822</td>
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<td>506,356</td>
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<tr>
<td>Ditto 1823 and 1824</td>
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<td>115,219</td>
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**Imports from East India to Great Britain.**

**Indigo.**

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<tr>
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<tbody>
<tr>
<td>1801 to 1820</td>
<td></td>
<td>5,513,083</td>
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<tr>
<td>Ditto 1814 to 1822</td>
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<td>5,028,062</td>
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**Cotton.**

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**Bengal Silk.**

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**Sugars.**

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<td>124,279</td>
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<td>Ditto 1823 and 1824</td>
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These few details showed a most important increase in both ways in the trade with India. But while these important changes were transacting, the duties imposed on East-India products were grievous in themselves, in comparison with the same
products of the West Indies, absolutely prohibitory. The duties on coffee were equal to ad valorem duty. On coffee from the East Indies, eighty-four per cent; from the West Indies, fifty-six per cent. On turmeric from the West Indies, eight per cent; from the East Indies, ten per cent. On rum from the West Indies, 8s. 6d. per gallon; from the East Indies, 30s. per gallon. On cotton wool from the East Indies, five per cent; from the West Indies, free. These, and such things as these, shewed the utter indifference to the prosperity of our trade, to the advantage of our cotton manufactures, or to the welfare, either of the mother country or the colonies, which characterised the whole system of our legislation, with respect to our possessions in the East Indies. Such was the utter indifference to all the principles, not only of sound commercial policy, but even of reason and justice, which the legislature manifested in all its regulations of the trade of those colonies. The whole system was most unfair and unjust; and, if ever the people of India began to feel it as they ought, if ever the vast population of our possessions in the East came to feel their importance, and the degree of injustice with which they had been treated, the House might rest assured, that the day of reckoning would come, and we should be made to suffer, as we deserved, for the course we were pursuing. What was it that lost this country the colony of North America? Why, precisely the same principle. We kept to ourselves all the advantages of their trade, and gave them none in return; and the consequence was, that they freed themselves, on the first opportunity, from the power which exercised over them its authority, in a manner so utterly repugnant to all the principles of honour, justice, or policy. It was not enough for this country to say, it had the power to do these things. It must shew that the course of its policy was founded in something like justice, or expect that those who were subjected to its influence would only continue to obey until an opportunity might present itself to oppose. Such a system was not only contrary to the principles of commerce and of justice, but even to that principle of reciprocity, which the right hon. gentleman (Mr. Huskisson) had advocated with so much ardour, and which he for one felt delighted in saying with so much success.—He would now turn to another part of the same subject, and beg the attention of the House to the amount of the imports and exports to the East Indies, as the trade was at present carried on. In the year 1824, the total amount of the exports to the East Indies, was 4,335,437l. In the year 1826, there was but little difference. The amount then was, 4,394,380l. Now, he must take the liberty of begging them to attend to a most important subject arising out of one of those exports. He alluded to the article of East-India sugar—the dead weight, as it might be called, of what we were able to draw from the East Indies at this moment. He did not therefore take that article, because it was the most important, but because it was that which might be the most increased. He was aware of the state in which the sugar trade was placed at this moment, and that there was much more than sufficient for the general consumption of the country; but he did not consider that to be any reason why it could not be much increased. He was aware, too, that in such a state of things, when there was an excess of production beyond consumption, the price must be regulated, not by the monopoly at home, but by the price which that sugar could procure in the market abroad. Granting that, however, he still contended, that the price could be raised, and the consumption increased too, at home. There was annually imported from the East Indies a quantity of sugar, to the amount of 244,000 cwt., upon which there was paid the extra duty of 10s. a cwt. Now, he would admit that this sugar was not sold even at a profit at this moment; and yet he was prepared to shew, that the consumption might be still very much increased. He was aware that it might at first appear, from the price at present, and from the supply being so much greater than the demand, that an increase of quantity could bring no increase of consumption; but, did the House take into its consideration the very great increase of demand for our manufactures, and the great consequent increase of population and production, which must follow the opening of such a market for the produce of this country? It might, he admitted, be asked, if the produce of sugar by the West-India islands was so much greater than the demand, how could we make any increase of consumption? He took it, however, to be quite clear, that the people of this country did not consume anything like what they
might be able to take, if a new market was opened to our manufactures. Let the House reflect for a moment upon what was the amount of the quantity of sugar consumed by the inhabitants of the United Kingdom. In England, the average quantity consumed by each individual was, annually, according to the best calculation, about twenty-three pounds and a half per head. In Ireland, the quantity consumed by each individual was about six pounds per head. Now, he would ask, if Ireland became a manufacturing country by the opening of a market, and the encouragement of a trade with India, what was there to prevent her people from becoming consumers to the extent of twelve, or even eighteen pounds a-head? In that way he was convinced that the right hon. gentleman ought to look for the ultimate improvement and happiness of that country—in that way he must look for the means of her prosperity and tranquillity. Let him, by opening the market of our extensive East-India possessions, give employment to her people, and encouragement to her manufacture; and he would find Ireland, instead of being, as at present, a source of endless alarm and discontent, become to England and her possessions a mine of wealth and a tower of strength. There would then be no occasion for emigration committees, to consider the best means of transplanting her people to other countries. Give but her manufactures encouragement by opening a market, and we should soon see, by its effect upon wages and labour, the people prosperous and the nation tranquillised. He was told, that a part of that country, Belfast and its vicinity, already shewed the capability of the country to manufacture, and to take advantage of the benefits which flowed from it. He was told that the town of Belfast afforded a most pleasing contrast to the general appearance of the other parts of Ireland. Manufactories had there been established and worked to a great extent; and he understood that when the manufacturers of England were pressed for time, they frequently sent quantities of yarn to Belfast, to be wove up, to supply their orders in proper time. Between India and Ireland there were some strong features of similitude. Both countries were oppressed by a redundancy of population. Both suffered from the low rate of wages; and both were constantly placed in a state of alarm and agitation by their White Boys, and discontented and starving people. The evils of both were to be remedied in the same manner. Give them employment. Lay open a market to their several productions, and you strike at the root of the diseases under which they labour. It was by following up that principle of reciprocity, with regard to our own colonies, which had already been recognised and acted upon with regard to foreigners, that the right hon. gentleman would be enabled to relieve the miseries of Ireland and India, and promote the prosperity and security of the empire. His object at present was to move for the appointment of a committee, before which that information might be given, under which the measures he wished were to be carried into execution.—There was one subject, however, to which he must allude, although it was different from any to which he had yet drawn their attention—he meant the state of the free trade with India. He held in his hand a letter addressed to the East-India directors, from some persons engaged, to a great extent, in that trade, in which they complained of the great impediments thrown in the way of their intercourse with those places to which the produce of India was sent. That company derived some of their most considerable benefits from what was called the right of pre-emption. The company had commercial residents at each of the ports and settlements where the free trade was carried on. Those residents made advances to the factors who purchased the productions of this country, and by that means contrived so to keep them in dependence as to confine nearly the whole trade to the ships of the company. This was one of the consequences arising from the junction of sovereignty and trade in this company—a junction which never ought to have taken place, and which never could be found, without exhibiting consequences prejudicial to the freedom and prosperity of commerce. The Indian Archipelago was one of those places where the trade of this country could be most beneficially extended. Those islands abounded with all the various oriental productions most in request in this country. More than one eighth part of all the gold introduced into Europe was derived from them, in addition to great quantities of plate, diamonds, spiccs, and pearls. There, too, a vast proportion of the manufacturers of this country found a market—greater, indeed, by many degrees, than we were
able to sell it in any other place, if we except China. At that moment, unfortunately, there was but a very small portion of it open to the free trader; but, be trusted, the time was not far distant, when the abolition of this monopoly, which must expire in the year 1833, would enable the manufacturers and traders of the united kingdom to derive the full and unrestricted benefit of the almost boundless prospect of commerce which these islands presented. The duties upon East-India sugar were 37l. a ton; but the duties on that produced in the Archipelago was 64l. a ton; or, in other words, the sugar of those islands was totally prohibited, for the effect was nothing less. It was worth while, in considering the advantage we might derive from a free trade with those islands, to look at the evidence given on the subject by Mr. Craufurd, a gentleman whose accuracy of statement was as unquestioned as his means of information had been extensive. He said, in speaking of the possibility of extending our trade in that part of India, that it was now a very rare thing indeed to meet with any Javanese lady or person of any condition in life, except the lowest, who did not exhibit at least one article of British manufactured cotton in her dress; and even the woollens of this country were beginning to be in great request. In 1814, there were only one thousand pieces of cotton exported to the Archipelago; while in 1818, from a reduction of the duty, there were upwards of fifteen thousand pieces; and the quantity was likely to be very considerably increased. Such would be the benefit likely to arise from an opening of the trade. Give the people but a means of payment, and you may dispose of the productions of this country to an almost unlimited extent. No man, he apprehended, would be so insane as to propose that no more than a certain quantity of our manufactures were to be exported; and yet the effect, by the continuance of the system of prohibition, was precisely the same. Another subject to which he wished to direct the attention of a committee, was the state of what are called the emporia for our India trade. The emporium of Sincapore, he believed to have been established on sound commercial principles; but, at the same time, he wished the state of that and other places to be submitted to the attention of a committee, because he thought it would be found, that, without some such places of traffic, the trade could not be beneficially carried on. The House might probably not be aware, that there were several productions of the East, in which the trade was wholly prohibited, unless in particular places, and under particular restrictions. The trade in spice, for instance, was locked up under one of the extraordinary systems of monopoly the world ever saw, by the Dutch East-India Company. That company having got possession of all those islands in which the spices grow, and in which, indeed, they were indigenous, resolved upon preserving their monopoly from all chance even of attack, by confining the production of particular spices to particular islands. For that purpose they selected the Island of Amboyna as the place to grow cloves, and prevailed upon the chiefs or princes of the other neighbouring islands to root up all the clove trees to be found in their possession. In the same manner they made the Banda Islands the place of growth for nutmegs, and sent yearly a fleet round the coasts of the whole of the islands, in order to secure the execution of their orders and the perfection of their monopoly. It was true that this proceeding did them no good, and reduced the islands to a state of poverty; but they succeeded in fully securing the monopoly they desired. It was obvious, therefore, that without an emporium the trade could not be successful. The only trade that ever was beneficial in India, or which greatly recompensed those engaged in it, was the free trade of the English and the Dutch before the monopolies established by the India Companies of those nations. At that time a trade of immense extent and importance was carried on with all the islands, and even with China and Japan; and it was only the fatal effects of the restrictive system which brought it to a termination. It was the opinion of Mr. Craufurd, that the free trade was the most beneficial, and that it can be carried on through the means of emporia alone. He hoped he should not trespass too much on the patience of the House, if he said a few words as to the trade now carried on with China through the means of the city of Canton. It was a very singular fact, that although all the purchases and sale of teas were made in Canton, there was not a leaf of the plant grown in that province, of which Canton
is the capital. The black teas, were grown in a province three or four hundred miles from that city; and the green teas were brought from another province, seven or eight hundred miles up the country. The teas were brought to Canton by the means of inland navigation; and it might be perhaps allowed, that there was an increase of full fifty per cent upon the cost of this transport. These provinces, however, from which the teas are taken, are maritime provinces, and it was proved, that the articles of their produce could be conveyed by sea to an emporium, a distance not greater than they were now conveyed to Canton. Mr. Craufurd, who makes these statements, argues with great truth and justice upon the benefits which must therefore accrue from such emporia, and upon the advantages which such a market must offer to the consumption, without restriction, of the manufactures and productions of this country.—To detail such as these, the House must turn, when it is called upon to consider the propriety of dissolving that monopoly, which has existence, by law, to the year 1833. With such information, collected by a committee, the House must be provided, when it is required to determine upon the great question which will then be submitted to its consideration; and therefore, if there was no better and stronger reason, he would contend, that a committee ought, in good time, to prepare that information, which will thus be necessary, in order to decide rightly and fairly between the East-India Company and the public. For that decision a thorough knowledge, by inquiry before a committee, on the state and resources of the Indian Archipelago, was, he repeated, indispensably requisite.—He had thus endeavoured to put the House in possession, within as small a compass as possible, of a general outline of the commercial advantages which must result to this country, from an extension of our trade with India; and he had proved, he hoped, enough to satisfy hon. members, that a trade of boundless extent might be carried on, by a removal of restrictions under which our commerce at present laboured. The policy had been too long pursued, of endeavouring to derive wealth from India by means of revenue; far better would it be to seek to derive wealth by improving our commercial relations with India; by promoting those liberal institutions that create wealth; and by aiding her advancement by the application of those principles which we had called into action in our intercourse with the other nations of the world. A change was called for by justice; it was rendered requisite by what was due to the interests of India; and it was demanded by a due regard to the promotion of the commercial connexion between Great Britain and India. He would now move, “That a Select Committee be appointed to inquire into the Trade between Great Britain and India.”

Mr. Slaney, in seconding the motion, said, he wished, while he consulted the interests of his fellow countrymen at home, likewise to regard those of their fellow-subjects in the East, who were neither really nor virtually represented in that House. The motion before them was well adapted to pave the way for that larger question which they would have to discuss a few years hence, involving the future government of so many hundred millions of human beings who were consigned to their sway. He entreated them to weigh well the value of a moral policy which would leave its enlightening tracks along its course, and mark the remembrance of British benefits, should the Indian empire ever pass from British rule. It was incumbent upon them to remove some blots from their legislative and commercial policy, and to show, that, however extraordinary was the origin of their eastern possessions, the natives had at least largely benefitted from the change. Mr. Gibbon, in referring to their Indian empire, had said, that “the richest and most extensive provinces of the great conqueror of the Mogul empire now belonged to a company of Christian merchants in an island of the northern ocean.” It was time they should show the world, that, small as was their executive, they were yet governed by great principles. Their East-Indian possessions had been treated more commercially than morally; but he trusted it was reserved for those who had sowed the first seeds of liberty in America, to introduce, at some future time, the beneficial advantages of their free institutions into the heart of Asia.

Mr. Leicester said, there were many reasons which induced him to support the motion for a repeal of the high duty on East-India sugar. First, he felt bound to support it from a regard to consistency; for what could be more inconsistent than
to adopt principles of free trade, in our commercial relations with all other nations, and to deny the extension of them to a country, with which we were so closely connected, and which was so fitted for the application and reception of them? Secondly, a motive of justice induced him to support the motion; for what, he would ask, could be more unjust than to cut down to the lowest the manufacturing classes of the community, by the high prices of agricultural produce, and deprive them of the opportunity of the probable reduction of those prices, by shutting them out from the most extensive market in the world? Thirdly, he thought the motion ought to be supported on the ground of humanity; for where was the humanity of seeing the working manufacturers reduced to the lowest wages, and by excluding East-India sugar, by the high duty imposed upon it, deprive them of the power of purchasing it, and of mixing one drop of sweet in the bitter cup which they were doomed to drink? Besides, the present high rate of duty tended to aggravate the dreadful tax imposed upon us by the maintenance of the slave system, the countenance and support of which were not only shocking to humanity, but tended to the depreciation of West-India property. Besides, it should be taken into consideration, that a perseverance in this denial of privileges might eventually create a discontent, which would be dangerous. He believed there were many ready and ripe for this discontented spirit to break out into violence; and that they only waited the signal from those who were considered their leaders to manifest that disposition. He, therefore, wished, while yet there was time, that motives of wisdom and conciliation should induce the adoption of the course now recommended by the hon. member. Lastly, he hoped the measure might be carried for the sake of Ireland; and he would take that opportunity of saying, that he was favourable to the present administration; and, principally, because he hoped that by the present ministry would be carried that measure which he owned he considered a right and non-Catholic emancipation; for, until that question was satisfactorily set at rest, there could not be peace or happiness for the empire. After referring to, and condemning, the outrageous apprehensions of some respecting the claims of the Catholics, and the morbid sensibility of others concerning the interests of the Church, he concluded by giving his warm support to the motion.

In the course of his observations, the hon. member touched upon the danger of a non-consumption agreement among the people, which would force government into the adoption of the measure.

Mr. Huskisson began by observing, that his hon. friend had formerly introduced this subject to the attention of the House, by a simple proposition for an equalization of the rate of duty on East and West Indian sugars. In this simple proposition, he could not concur; and, if he concurred in the present, the hon. member must perceive, that the object of his former proposition would be as effectively carried as if that proposition were agreed to. With respect to the threat of a non-consumptive agreement of West-Indian produce, referred to by the hon. member, who spoke last, he could assure that hon. member—and he spoke from experience—that non-consumptive agreements of the description alluded to, seldom or ever met with the success which was anticipated from them. Of the produce of British plantation sugar in the West Indies last year, he could say that it had not been less than in any former year. Although it was well known that there was great pressure in trade every where last year, the amount paid in as duty on British plantation sugar imported into Great Britain, covering drawbacks and certain other charges, was 5,500,000l.; a greater sum than, since our connexion with the West Indies, had been ever paid in one year.—He admitted, that it was the interest and duty of a commercial country like this, to endeavour to open new channels, and to afford increased facilities to those that were already open; but it was its duty, likewise, in giving encouragement to individual enterprise and to new commercial speculation, to be cautious not to sanction any measure which might endanger or destroy established interests and rising institutions; especially institutions of our own creation, connected with our interests, and specially intituled to our protection. And here he would make a gratifying remark, in reply to what had been said, as to the low wages of the manufacturing classes. He was happy to state, that, after suffering great and long privations, which they bore with exemplary patience—he spoke of Manchester and the extensive manufacturing district about it.
—there was an increased demand at present, which enabled the master manufacturers to give better wages, and a greater number of workmen to obtain employment. So much for the present prospect of increasing improvement in those parts of the country in which distress had been mostly felt. To proceed to the argument so strongly urged, as to the application of principles of free trade, and the extension of commercial intercourse. In these principles, it was not necessary that he should now inform his hon. friend, the House, and the country, that, as far as they could be made beneficially applicable, he concurred in the application of them; but it would be readily allowed, that all extensive changes were attended with great difficulty, and should be proceeded in with circumspection, and a due regard to other general interests already widely established; and that, therefore, whatever new measures or new systems were introduced, they should be regulated in such a manner, as that in endeavouring to effect improvements for some, no sacrifice of essential import should be required from others. Now, his hon. friend had said, that the East Indies were rich in every kind of produce that prospered under a tropical climate. Granted. He admitted the capabilities of the climate; but he wished, for the better understanding of this subject, to call the attention of the House to the attitude in which we stood towards the West Indies, and to the circumstances under which trade was first opened between India and Great Britain. When it first opened, it opened under a strict monopoly of a company of merchants. We then received from them, under this monopoly, silk and cotton (the raw material), for which we exchanged the precious metals, which we obtained by the disposal of our manufactured goods in other parts of the world. This was the limited course of commerce that had commenced, and was long continued. Meanwhile, in another part of our dominions, the West Indies, and long before, great wealth had been acquired and accumulated, large interests had been united, and British property to a considerable amount had been vested. It was our duty to attend to and secure those interests. The East-India trade continued, since its commencement, under the same restraints, until the expiration of the East India charter. In 1814 it was renewed, and then new encouragements were given to individual enterprise, and new means opened to the accumulation of wealth and the exercise of skill. In the situation which he unworthily filled, he and those co-operated with him, had taken every opportunity of giving facilities to, and offering every suggestion that might, advance and improve that trade, and he knew that it continued greatly to improve and increase. It would, he had no doubt, so continue to prosper. Many encouragements, into details of which he need not enter, were held out to it; but, in all those encouragements and regulations, the House should be cautious not to proceed in their relaxations, to such an extent as to create just alarm in the minds of West-India proprietors, to whose interests they were strongly bound, but rather seek to reconcile those interests with those of the East Indies, by satisfying them that they might be both augmented and maintained, without unduly interfering or clashing with each other. It was his opinion, that the equalization of the rate of duties on sugar would not be the great advantage that the hon. gentleman seemed to contemplate from it. He would offer a few remarks upon this part of the subject, as the hon. gentleman seemed to lay particular stress upon it. The British plantations grew fifty or sixty thousand hogsheads of sugar more than there was to be found consumption for in this country. Now this must find vent in foreign markets. And it was admissible for East-India sugar to find a vent in those markets, as the sugar of any other country. If the East-India sugar were so grievously taxed, and if it could be manufactured at a so much cheaper rate than British plantation sugar, why did it not enter the competition that was open to them at any of the foreign markets? A vessel might sail from Calcutta, or from any part of the East Indies, and enter into competition at Hamburg or Dantzic, or any other European port, with the sugar of Cuba or Brazil, or any other country; and, if this superior cheapness was possessed in the manufacture, why was it not found to be preferred abroad to the sugar of every other country? Either, then, on this account, or on account of some accompanying and necessary increase of freightsage, that would balance the cheapness of manufacture; or, again, unless they could convey the sugar so as to use it as ballast for their ships in conveyance, which would
require a corresponding but improbable increase of consumption, he apprehended that the advantages derivable to the East Indies from equalization of duties would be by no means so great as they had been described by some hon. gentlemen. Although he did not anticipate such important results from the proposed equalization of sugars, yet he was ready to admit, that there were many points touched upon by his hon. friend which required attention, and which he assured him had engaged much of his time; some difficulties had recently been removed; some facilities had been recently afforded; the removal and the granting of more were under consideration; and he thought the result would be more satisfactory if they were left in the course in which they now were, than if they were placed under the direction of such a committee as his hon. friend had moved for. Many alterations in other respects, relating to trade, which the country approved of, were introduced without such a committee. One topic he would mention, in which such changes as he alluded to might be made beneficially for the trade of India: it was that which related to the difference of duty between the raw material of silk and cotton imported from the East Indies and other countries. This was a subject that required re-consideration, and one in which the trade of India laboured under a disadvantage. He would propose, that these articles should be subjected to the same duty as similar articles imported from all other nations. The knowledge and information best calculated to effect these alterations with advantage, were to be procured more easily through the official means of intelligence which he possessed, perhaps, rather than through the committee proposed by the hon. member. The changes which it was expedient to introduce into the principles of our trade with India, were changes which circumstances rendered necessary. Circumstances must always enter into the consideration of every legislature. By circumstances their determination must be in every instance influenced. The relative circumstances of this country, and of India, commercially considered, had undergone a most material alteration. Instead of being a country importing manufactures extensively from that part of the world, we had become a country exporting extensively to it. In that part of the hon. gentleman’s speech which related to the making of free ports in India, there was much in which he entirely concurred. But he begged to state—and it was with a feeling of great personal satisfaction that he did so—that he had done all that he could to place the ports of Singapore, Penang, and Malacca, on the most perfect footing of free ports. In those places there did not at present exist any charge, nor any obstacle to perfect freedom of trade. It was infinitely better to look to the future for financial benefits to be derived from those sources, than to trust to the increased revenue which the growth of their prosperity would necessarily occasion, and of seeking for a trifling temporary advantage, by the imposition of duties which, however small, might have the effect of driving away commerce altogether. The effect of the system which had been introduced, as far as it could at present be judged of, was most satisfactory; and what might be its ultimate results upon the trade with China, and with the immense population in other parts of the Indian seas, no one could anticipate. For his own part, he confessed that he was exceedingly sanguine upon the subject; and that he looked forward to the most extensive commercial intercourse, under the British flag, between the Western parts of America and the eastern parts of Asia. It was the duty of the British government to prepare the ground, to lay the highway for such an intercourse; and he could assure the hon. member for Bridgenorth, that it was a duty of which his majesty’s present government never for a moment lost sight. The only suggestion which he wished to throw out to the hon. gentleman, was the expediency of postponing an inquiry into this subject, until the result of the experiments which were at present trying had more distinctly manifested themselves. He had not the slightest inclination to throw any impediment in the way of eventual inquiry; on the contrary, he was solicitous that it might take place; but it certainly appeared to him, that it was desirable to defer it, until the success of the measures which had already been adopted, and the expediency of extending them, should be more fully ascertained. An investigation of the whole of this large and important question at some future period would, he was convinced, be at once more satisfactory to the House, and more advantageous to the
general interests of the state. It was not that he differed from the hon. gentleman on any of the principles which he had advanced. So far from that, as was well known, he was a warm advocate for the application of those principles as extensively and as promptly as they could be applied, consistently with what was due to existing interests; but it was because he was persuaded that the present was not the fittest moment for the inquiry, and that at a future period, when they were in possession of the result of what was now going on, they would proceed to that inquiry with a much greater probability of an advantageous issue. The appointment of a committee at present might create alarm, and excite exasperation, at a moment when he was most anxious to show the parties who were interested, that the alarm was unfounded, and the exasperation uncalled for. However reluctantly, therefore, he was compelled to object to the hon. gentleman's motion. There was only one point on which he differed in opinion from the hon. gentleman, and that was with respect to his recommendation to throw open to Ireland the trade with India. The hon. gentleman seemed to consider that that would have the effect of increasing the manufacturing industry of Ireland. Now, he was at a loss to see how that effect could be so produced. The probability of the increase of manufactures in Ireland must depend materially and principally on the protection experienced by property in that country, and the advantages thereby secured to those whose interests were connected with manufacturing prosperity. He was happy to say that manufactures had begun in Ireland. He sincerely trusted that they would increase. Many circumstances induced him to believe that they would do so; but he did not believe that any alteration of the law for regulating the duty on sugar (rather, as he thought, indiscreetly suggested) would have the effect of affording employment to the population of Ireland—an object which depended on very different circumstances. He would not take up any more of the time of the House. He had sketched an outline of what appeared to him to be some of the most important considerations in this most important subject. He hoped he had shewn that he did not entertain the slightest wish to interfere with the progress of improvement, or to prevent the extension of sound commercial principles; but he repeated his conviction, that those objects would best be attained by abstaining at present from an inquiry which would be more beneficial at a future period. The time must come when the subject would be ripe for consideration, and when it would be imperative to enter into a full investigation of all the circumstances connected with it.

Lord Milton expressed his entire satisfaction at what had fallen from the right hon. gentleman. He had felt exceedingly anxious to support his hon. friend's motion; and if the right hon. the President of the Board of Trade had opposed it, he should have felt himself bound to vote for it. After the fair and candid manner, however, in which the right hon. gentleman had treated the subject, he thought that a postponement of the inquiry would be more conducive to the object which his hon. friend had in view, than its immediate adoption; as he entirely agreed with the right hon. gentleman, that a premature consideration of the question might exacerbate conflicting interests, and confirm prejudices which every well-wisher to his country would desire to see weakened rather than strengthened. With respect to the expediency of an inquiry at no distant period, he perfectly agreed with his hon. friend. He thought that the laws which related to the trade with India ought to be taken into consideration as early as it would be advisable to do so, with a view to such an alteration in them as might be advantageous to the general interests. Upon the whole, however, it appeared to him to be better to leave the subject in the hands of a government entertaining just views respecting it, rather than at present to appoint a committee, in which witnesses would be examined on one side and on the other, and the proceedings of which might be calculated to produce considerable irritation.

Mr. Philips said, he had the satisfaction to state that the manufactures of Lancashire were greatly increasing in activity. In confirmation of this statement the hon. gentleman read extracts from two letters which he had recently received. The first was from a very intelligent individual, who said that the calico printers in Lancashire were doing more than they ever did; that some of descriptions of cloth three times as much could be sold as the manufacturers were able to make; that some of the
master-manufacturers were very desirous to take on an additional set of workmen; that at Blackburn and other places there had been an advance of wages; that many articles were sent off the moment they were out of the loom, &c. The second letter stated, that there appeared to be a considerable body who chose it might be employed which had been an advance of wages; that at every body who chose it might be employed; that weaving wages were greatly advanced, &c. Although this revival of our manufactures had been tardy, the hon. gentleman said, he had always thought that it was certain. It appeared to him that the causes which had so long depressed our commerce and manufactures might be easily traced. There was one object to which a greater importance than it deserved seemed to him to be attached; and that was the lowering of the duties on East-India sugar. The effect of such a measure would be comparatively trifling, with reference both to the East and West Indies, and to Ireland. With regard to the trade to India, it was a subject on which he felt great interest. He recollected the time when he had anticipated many events connected with that trade, which had since come to pass. He recollected anticipating that cotton yarn would be sent from this country to the East Indies; the cotton of which it was spun having previously been brought from the East Indies to this country, and manufactured by the native Indians. He recollected anticipating that even cotton piece-goods would be sent from this country to the East Indies. At that period, he had been treated as an enthusiast and a visionary. What had since occurred, however, had proved the justness of his anticipations; and the advantages consequent on an adherence to the principles of free trade. He firmly believed that the exports from this country to India would be much greater than they were, if the India Company could be persuaded to divest itself of the jealousy which it entertained on the subject. He had always considered it most unfortunate, with reference to the interests of India, and of Great Britain, that the company threw so many obstacles in the way of the admission of individuals from England into India. He was persuaded that great advantages would result to the empire generally, were the company to pursue a more liberal policy. If, instead of deterring, they would encourage his majesty's subjects to go and settle in India, they would at the same time increase their own revenue, and materially contribute to the improvement and extension of commerce. Was it not evident, that, if intelligent manufacturers were encouraged to go out and settle in India, the manufactures of that country would soon be greatly improved? He had heard of persons who were very anxious to send out persons to superintend the cultivation of cotton, and to take other measures calculated to be beneficial to commerce; but, so many obstacles were thrown in their way by the company, that they were obliged to abandon their plans in despair. The two manufactures which were of the greatest importance to this country were cotton and silk. The right hon. gentleman had conferred infinite benefit upon the latter; and it was in the power of the East-India Company, by changing their system with respect to the latter, at once to benefit themselves and greatly to improve the commerce of the country. He was surprised to hear any hon. member say, that, by the commercial policy which had lately been pursued in this country, they were cutting down the interests of the land-owner. It was quite the contrary; for, whatever was calculated to increase the prosperity of the empire, must be also calculated to increase the prosperity of all the classes of which the population of the empire was composed. With respect to his hon. friend's motion, although he perfectly concurred with him in opinion, he thought it might be desirable not to press it at the present moment, but to wait until the object in view could be obtained under circumstances of much greater advantage.

Sir C. Forbes thanked the right hon. the President of the Board of Trade for the able, fair, and candid, exposition which he had made of his opinions; and congratulated the country and India on the unusual attention which such a question had experienced in that House. In general, the affairs of India, although of such great importance to the interests of the empire, had been sadly neglected; the very name of India clearing the House at once of half its members. He trusted, however, that in future the subject would receive the attention which it deserved. Feeling, as he did, the greatest attachment to India, he trusted that the question of its commercial interests would be left in the hands of the right hon. gentleman, who, he had
no doubt, would deal with it as he was dealing with all other questions of a similar nature. He was one of those who had the greatest confidence in the right hon. gentleman, and in the principles upon which he was acting. He trusted, therefore, that the hon. member for Bridgenorth would withdraw his motion.

Mr. Sykes said, that, although he was quite satisfied with the tone of the right hon. the President of the Board of Trade's speech, and perfectly coincided with him in his general commercial principles, he was anxious that some measures should be adopted, with as little delay as possible, for the purpose of improving and extending the trade with India. He had not heard a single reason which to him appeared cogent for continuing the duties on East-India sugar. He entirely concurred in the sentiments contained in the luminous speech made by the right hon. gentleman. At the same time, he felt deeply for the present depressed situation of the shipping interest. Circumstances as he was, he had ample opportunities of knowing the extent of the evils which they were enduring; evils of which neither the House nor the right hon. gentleman could have any adequate idea. He had told them, however, more than once, that those evils were not owing to the relaxation of the Navigation laws, or the introduction of the Reciprocity system. He firmly believed, not only that the relaxation of the Navigation laws was necessary at the time at which they were relaxed, but that, if it had not been necessary it would have been wise. And yet, knowing as he did, the distressed state of the shipping interest, he felt that it behoved parliament and his majesty's government to look out for quarters where that interest might obtain employment; and he could not see any opening to likely be advantageous to the shipping interest as the encouragement of trade with the East Indies. If the duty were taken off East-India sugar, a larger quantity of sugar would necessarily be imported into this country; which, added to the distance from which it would be brought, must greatly increase the amount of tonnage that would be employed. It was principally on that ground that he was disposed to press the speedy consideration of this important subject. He did not see any way in which the shipping interest could be relieved from their present depression, except by increasing the commerce of the country; and he did not see any way by which the commerce of the country could be so effectually increased as by opening and cultivating the trade with the East Indies. Nor did he believe that the repeal of the duty on East-India sugar would eventually be injurious to the West-India planter; who at present derived his profits principally from drawbacks and bounties.

Mr. Ross observed, that the whole of the bounties to which the hon. gentlemen had just alluded, were abolished last year. The whole of the advantage which the West-India planter at present possessed in that respect was, that he was allowed to go into the foreign market, unloaded with those duties to which he was subject in the English, but nothing further. With respect to the surplus supply of sugar that came from the West Indies, the hon. member who had mentioned it had forgot the immense supply from the Mauritius. It ought to be remembered, that we ourselves had encouraged the West Indies to look for a monopoly, by the monopoly in supplying them with the articles they wanted, which we had established for a long time against them in our own favour. How far it might be proper to continue these protecting duties in favour of the West-India colonists, he would not undertake to say; but he thought that the best mode would be for the hon. member to withdraw his motion for the present, and leave the matter to his majesty's government.

Mr. W. Smith said, that, whether his hon. friend chose to withdraw his motion or not, he could not help observing, that the argument, that the production of the duties on the East-India sugars would do no harm to the West-India sugar-growers, which was one which he was not able to believe, for, if that was the case, why retain the duty on the East-India sugars, or why call for an inquiry? This was a proof, that the argument was not confined in, even by those who used it; or, at least, that they laboured under a very great delusion on the subject. If the argument, however, was good for any thing, and if the West-India sugar-growers would really not be injured by the reduction of the duty on East-India sugars, then let the people of England at least have that satisfaction which they craved by five hundred petitions. If the reduction would do no harm to the West-India growers, that was an
irrefragable reason why the reduction should take place. The right hon. gentleman had said, that it would be much more convenient to enter upon the full discussion of the subject at another period; and he could not help remarking, that in this way the matter might be postponed for five or six years, until the East-India Company came for a renewal of their charter. He would say, that such a postponement would be a great disadvantage; and he could not see why the matter should be so long delayed. An hon. gentleman had talked of the five millions sterling of revenue which the country derived from the West-India sugar; but why should not sugar pay the same revenue when brought from any other quarters? Yet the hon. gentleman seemed to think, that the sugar would not pay the same revenue when brought from other quarters, as they would when brought from the West Indies; or, if that was not the argument, he did not know what it was. The hon. gentleman had very truly observed, that some articles flourished best in particular quarters, but he ought to observe, that the article of indigo had of late flourished in a high degree in the East Indies, although before, it was chiefly produced in Carolina, in some parts of Europe, and in the West Indies. The East Indies had, no doubt, derived great benefit from the cultivation of that article; and this country had derived great advantage from the trade. It had been argued, that the East Indies were best adapted to the cultivation of cotton, and the West Indies to the cultivation of sugar. But it had been long an impression on his mind, that the cultivation of cotton would be much preferable, even for the West Indies themselves. It was well known, however, that within the last seven years the slave population of the West Indies had decreased, in proportion to the cultivation of sugar, and increased in proportion to the cultivation of cotton. A greater service, therefore, could not be done to the West Indies than to leave it to be the interest of the planters to decrease the cultivation of sugar, and increase the cultivation of other articles. It had been said, that we ought to allow the West-India planters a monopoly in favour of their sugars, since we had taken to ourselves the monopoly of supplying them with necessaries. But had we not now given up the greater part of our monopoly? He had heard the name of the Mauritius mentioned; and with respect to that island, it was worthy of remark, that since we had got possession of it, the supplies of sugar from that quarter had increased seven-fold. The reason of this, was he was informed, was, that the sugar was raised by slaves newly imported; and his firm conviction now was, that the cultivation was or had been lately so carried on. When we took possession of it, the exportation of sugar was from two to three millions of pounds; in the last year it was no less than twenty-three or twenty-four millions of pounds. He believed that this was owing to a clandestine importation of slaves; and, by allowing that importation, we had done much more injury to our own islands, than would be done them by this equalization of duty.

Mr. Barnet recalled to the recollection of the hon. member for Norwich, that he did not vote with the minority which opposed the exemption of the Mauritius from the protecting duty. He thought his hon. friend evinced rather a prejudiced feeling against the West Indies. He denied that the West-India slave population decreased in proportion to the increase of the cultivation of sugar; and he had expected more candour from his hon. friend, than that he would have encouraged the clamour of doors against the West-India body. It might possibly be, that the country would derive equal duties from the sugars if brought from other quarters; but at least they ought not to give up a valuable revenue without inquiry. It ought to be recollected, that the West and East Indies stood in a very different situation with respect to this country. Englishmen were not allowed to colonize or hold lands in the East Indies. The case was widely different with respect to the West Indies. Other nations, particularly the States of America, had a long eye after those colonies; which were considered of more importance than the political economists of the present day seemed to imagine. They had often been the scenes of war between the civilized nations of Europe, and our fleets had frequently met the French fleets in that quarter. The interest of the West Indies was a subject not to be trifled with.

Sir Robert Farquhar begged to return thanks for the very candid manner in which the hon. member for Rochester had introduced the point of Mauritius sugar. Though that was a question affecting the
interest of the West-India planters, they all handsomely judged it upon its own merits and the justice of the case, and spurned to be led astray by the artifices of a certain party, whose sole object was wantonly to run down and vilify the inhabitants of the Mauritius; not only the inhabitants, but the government and administration of the colony. With respect to the observations of the hon. member for Norwich, he would set the hon. member for Rochester right in informing him, in reply to his query, that the hon. member for Norwich had, two years ago, defended the justice and advocated the policy of allowing the sugars of the Mauritius to be introduced at the lower rate of duties, upon every principle of good faith, wisdom, and humanity. How the hon. gentleman could have so suddenly changed his opinions, it was difficult to conceive; unless in the blind compliance with the wish of a certain party combined to persecute that unfortunate island. With respect to the admission of Mauritius sugars in 1825, it was granted by that House as an act of good faith, after clearing the ground of any imputed slave-dealing. It was acknowledged, that not an instance of slave-dealing had occurred since the year 1820, with the exception of one single vessel in 1821, which was chased by his majesty's schooner, and burnt on the shores. "I then" (said sir Robert) "solemnly pledged to the House, that no illicit debarkation had taken place at the Mauritius since that period. I re-asserted the same fact in 1826; and I now, in the presence of this House and of the country, am prepared solemnly to declare, that not a single instance has occurred, up to the present day. I beg leave to refer to the hon. secretary of the Colonial Department for the truth of this assertion, which is vouched in the latest despatches by that distinguished public officer and honourable soldier, sir Lowry Cole.—The House will be guided in their judgment by such distinct and authentic information, in preference to the opinions of dissatisfied and discarded officers of the civil government, and to the evidence of perjured soldiers." He had admitted, in 1826, that there had been cases of slave-dealing previously to that period; but he boldly asserted, and defied the hon. gentleman to prove the contrary, that every means within his power had been stretched in every case, to detect and defeat those abominable violators of the law. He applied to the authorities at home and abroad to cooperate in those means; and in the instances of smuggling which did occur in those early periods, enormously exaggerated as they had been, he had not restricted his measures to the rigour of the laws then in force, but had done every thing in his power to punish the offenders; and where those powers were found inadequate, he could only apply to the competent authorities to make new and more efficient laws. He too justly appreciated the fallacy of those principles which the hon. gentleman advocated to seek the execution of the law by the violation of it, or to justify the means by the end proposed. The evidence, as far as it went, was in the possession of the House; to which he earnestly entreated, as an act of justice to himself and the Mauritius, the attention of every member. The nature and character of that evidence, and of that committee, were sufficient, in some measure, to enable gentlemen to form an opinion of the case which was introduced with so much pomp, upon the evidence of a common soldier, who had been since proved to be perjured, and who admitted himself, that he had been bribed to a subornation of felony. It was upon evidence got up in this most scandalous and foul manner, from the lowest and most profligate persons, that the case against him (sir R. Farquhar) and the colony rested. And was his public and private character to be dragged before the House on such testimony? With respect to the population, upon which some hon. members dwelt so much, he was prepared to prove that there had been little or no alteration since the capture, with the exception of seven thousand or eight thousand slaves carried off by cholera morbus in one year. The hon. gentleman had put off his promised motion from week to week; which had been naturally most irksome to him. He must add, that the cause of the increased culture of sugar was easily to be accounted for, by the destruction of all other kinds of cultivation, by the constant hurricanes to which this island was peculiarly subject, and by the separation of Bourbon; which, depriving the Mauritius of the advantages as being the emporium, forced the inhabitants to direct their habits of industry exclusively to cultivation.

Mr. F. Buxton said, that if the hon. baronet alluded to him, he had much better
have deferred his attack, since he must know that a much fitter opportunity of making it would soon be afforded him. But, in the mean time he might say, that he would prove that the slave-trade had been carried on to a most enormous extent in the Mauritius, under the administration of the hon. baronet. From that he would not shrink; but he had not said, nor did he now say, that the slave-trade prevailed in the Mauritius at the present moment. He had always excepted the administration of Sir L. Cole: because he did not as yet know whether, under his administration, it had existed or not. What he said was, that it prevailed to an enormous extent under the administration of the hon. baronet opposite; and that he would take the earliest opportunity of proving. The hon. baronet had said, that he had employed the power of the law, and a vigour beyond the law, against the slave-dealers; but it so happened, that not one of them was convicted. His hon. friend, the member for Norwich, had understated the quantity of sugar of late produced in the Mauritius. The quantity produced there was two and a half millions of pounds, when we got possession of it. In the three last years, the quantity was seventy three millions of pounds.

Mr. Brougham said, he could not but express his high satisfaction at the tone and temper in which a part of this debate had been conducted. He could not but congratulate the House and the country on the manner in which the right hon. gentleman had expressed his own sentiments and those of his majesty's government, with reference to this most interesting question. Had his majesty's government met the subject in any other spirit—had the right hon. gentleman contented himself by a dry and hard statement of proofs and inferences, instead of openly avowing an inclination to treat the question as it deserved to be treated—then he should have been the last man in that House to have supported the right hon. gentleman; but, agreeing entirely as he did in the opinions expressed that night by the right hon. gentleman, and agreeing with him, that the subject now before the House was one of paramount importance, he must, of necessity, support the same views of this subject as those which the right hon. gentleman entertained. He was the last man who would willingly tender advice; and he was sure that his hon. friend, the member for Norwich, was the last man to whom advice was needful. He hoped, however, that his hon. friend would excuse him, if he recommended him to treat a subject like the present in a different spirit than that which he had displayed that night. Feeling most forcibly the good which must be the result of the favourable opinion expressed by the right hon. gentleman, and in consideration that his majesty's government would at no distant day take up the subject, he had now to hope that his hon. friend, the member for Bridge-north, would not press his motion. If his hon. friend should think fit to act upon that suggestion, but little would remain for him to add to what he had already stated. As errors might, however, go forth to the public if not corrected, it would be as well for him to state one or two particulars, in which he could not bring himself to agree with the right hon. gentleman. He remembered the right hon. gentleman stated, that the West Indies derived no benefit from discriminating duties. Now, if that position were well-founded, it would at once put an end to the argument. Because, if we were to pay a duty of 10s. on West-India produce, and if that duty was no protection to such produce, surely there was no proposal more fair and reasonable, than that we should no longer be called upon to pay that 10s. duty; it being admitted that it was of no benefit to the West Indies, and, in fact, was of no service whatever either to our possessions there, or to this country. An hon. member had said, that we ought not to force the Indies to raise sugar. We did not force them to raise anything; but only said, "Withdraw your duty from their sugars, and let them raise whatever they like." They could not be forced to raise anything which they did not choose to raise; or, if there was any forcing in the case, the effect of the present system was, by heavy duties on the East-India sugars, to force the West-Indies to produce them. One hon. gentleman had admitted, that the duties on East-India sugars operated as a bounty on West-India sugars; and, therefore, the force of production, if applied anywhere, was to the West, and not to the East Indies. There was one circumstance to which he was particularly desirous to advert; and that was, the fact, that the Mauritius sugars had been exempted from the protecting duties imposed on the East-India sugars. His
ho. friend, the member for Norwich, seemed to admit that he had fallen into some mistake on that subject; and, indeed, he had not before been very accurately informed of the material facts; and, what was still more extraordinary with him, he had not reasoned accurately, even upon those facts with which he had been acquainted. But why these Mauritian sugar cultivators should have been put on the footing of diminished duties, with the West Indies, to which they did not belong, and exempted from the duties imposed on the East-India sugar cultivators, with whom they had a near connection, it was utterly impossible to conceive. In one view, the Mauritian had a greater resemblance to the West Indies, than to the East Indies; for there was strong reason to believe that its sugars were the produce of slaves; and he was afraid that this might have been one reason why the cultivators of that island had been exempted from the East-India duty. It appeared that the system had been, to give bounty and protection to the masters of slaves, and to withhold it from the masters of free men. He hoped that they might live to see the dawn of a better day in the management of the colonies; and, looking to what had been said by the right hon. gentleman, it might be expected, that that day was not very distant, and therefore he refrained from resorting, on the present occasion, to any harsh arguments. With respect to the East Indies, he could not help looking with eager anticipation, and very high expectation, to the results of a full and complete inquiry into the commerce and the capabilities of that country, and the improvement in our own trade and manufactures which must follow. He could not help exulting in the brilliant prospects which such an inquiry presented, and in his opinion must almost necessarily lead. He was convinced that, upon a full revision of the condition of our Asiatic territories, it would appear that we did not at present at all understand the extent to which the East-India traffic might be carried on, and that the ultimate effects would be beyond every thing of which we had at present any conception. He should, perhaps, be permitted to mention one simple fact in illustration of what he meant. When he was lately at Lancaster, a commercial gentleman of that place shewed him orders which he had received for a vast number of pieces of calico for the East-India market, and he desired him to look at Johnson's Dictionary, and there he would find the word "Calico" mentioned as the name of a fine fabric imported from Calicut, in the East Indies. In India, at that time, they imported the raw material from us and from other quarters, and then made as much of the fabric as supplied themselves, and exported largely to us. But now the process was reversed, and we imported the cotton and raw material from them, and exported to them the same fabric, but more highly finished, and of a better quality. This was only a small sample of what might be made of this trade, if it were left perfectly free and unfettered. Looking at the matter in this point of view, he was convinced that the investigation would enable the government to do its duty towards the countless millions of India; while the process would be attended with the double advantage of promoting the interests of the people of India, while it afforded the best relief to our population at home. There had been something a little personal in what had been said respecting the Mauritius—perhaps too much so; but he could not forbear saying; that his opinion as to the fact, was the same as it had been last session, and had been rather confirmed by the sort of defence made by the party accused, on the night when the subject was then under discussion. He wished that the hon. member to whom he alluded might be able to meet the charge, when it should be regularly brought forward against him. There was at present no charge made against him individually. It would be quite time enough to make his defence when he should be accused. For himself, he had only to repeat, that he had heard nothing as yet that had the least tendency to make him alter his former opinion.

Mr. W. Horton said, that the late governor of the Mauritius considered himself as an injured man; and it was, therefore, natural that he should defend himself when attacked. He no doubt felt the necessity of repelling that attack the more incumbent upon him, the subject not being regularly before the House, but having been gratuitously brought forward for a purpose not altogether fair.

Mr. Wyke observed, that as British manufactures had superseded those of India, we were bound, in justice and in sound policy, to extend the trade with that country as much as possible, for the sake...
of the natives. The attention due to the commerce of India, as well as to its arts and literature, had been much too long delayed; but measures had latterly been taken, with relation to those subjects, which, he trusted, would redeem them from the neglect they had experienced. Under all the circumstances, he hoped that his hon. friend would withdraw his motion.

Mr. Whitmore, in reply, said, that he yielded to the recommendation of the right hon. gentleman, and would withdraw his motion, and leave the subject altogether in his hands; as he had the assurance that the right hon. gentleman intended to institute inquiries, with a view to remedy what was objectionable in the existing system. He felt confident the right hon. gentleman would not postpone these inquiries for five years, till the expiration of the Charter of the East-India Company. If, however, he was disappointed, he should feel bound again to call the attention of the House to this important question.

The motion was then withdrawn.

CORNWALL AND DEVON MINING COMPANY.] Mr. Alderman Waithe, rising to bring forward the motion of which he had given notice, for a Committee of Inquiry respecting the formation and proceedings of the Cornwall and Devon Mining Company, stated that, at that late hour, he would not trespass at any length on the attention of the House. He knew that some hon. members thought there was no necessity for any further investigation of these companies, as the evils attending them, it was supposed, were at an end. But he could assure the House, that this was a great mistake; for, at that moment, hundreds of individuals were suffering severely, on account of their connexion with these associations. One of the directors of the company of which he then spoke, had recently been declared a bankrupt, and another director (Mr. P. Moores), late a member of that House, who had been concerned in many of these projects, was lying in prison on that very account. He had another motive for pressing this inquiry. The character of some members of the House was deeply implicated in it, and he wished to give them an opportunity of vindicating themselves, and then constituted the satisfaction of knowing, that their representatives were free from the foul charges of fraud which had been so strongly preferred against them. The public had an interest in the purity of public men, and they should never shrink from investigation where the accusation was openly made, and with an apparent show of truth. The worthy alderman then went in detail through the facts of the case. He concluded by stating, that if those facts had not, as yet, been brought to light, he should find, in the acknowledgment of the hon. member for Sudbury, sufficient to justify him in calling for the committee. In an action, brought against that hon. member, no less than thirty-one pleas had been pleaded; and, among these, were pleas, one of which stated the Company to be a fraud, and the plan of it to have been fraudulent and illegal; and another actually described it as a public nuisance. He concluded with moving, "That a Select Committee be appointed to inquire into the allegations contained in a Petition, presented to this House, on the 9th of April last, from certain Shareholders and Scrip-holders of the Cornwall and Devonshire Mining Company; and to report the same, with their opinion thereon, together with any special matter, touching the conduct of any members of this House."

Lord Palmerston said, he wished it to be distinctly understood, that with regard to himself it was a matter of the most perfect indifference whether the House agreed to the committee or not; and, having said thus much, he should abstain from taking any part whatever in the discussion.

Mr. G. Robinson thought it would be useless for the House to grant a second committee to investigate into this subject, unless they first received a pledge, that when that committee should have made its report, some further steps would be taken, and the recommendations of the report be acted on.

Mr. Wilks observed, that in the whole course of his life he had never read any fiction or romance that in ingenuity of invention came up to the statements which had been made concerning the subject now under discussion. The whole matter, in fact, had arisen out of personal pique towards himself; and he asserted that the hon. alderman had availed himself of his situation in that House to vilify his character. It was impossible for him to imagine any circumstance to account for the statements which that hon. member
had made, except by supposing, in charity to that hon. member, that he had been imposed on by the misrepresentations of others. The whole of the statements made against him were fictitious; and the hon. alderman knew them to be such. The hon. member proceeded to answer the several charges which had been made against him upon this as well as upon several other occasions, relative to these companies, and expressed his regret, that the hon. alderman should, in order to strengthen his case against him, with respect to one company, think it necessary to introduce the names of other companies which had been unsuccessful, and where money had been lost, perhaps by the hon. alderman himself, as well as by others, but with which companies he (Mr. Wilks) had not the slightest connection. The course he had taken with respect to the companies with which he was connected, he was then, and at all times, ready to defend. He had taken the necessary proceedings; and those proceedings were at that moment pending in the Court of Chancery. He hoped, therefore, that, under these circumstances, the House would not consent to interfere in the concerns of private partnerships, by granting such a committee.

Mr. Hudson Gurney said, the speeches of the hon. member for Sudbury and the hon. alderman, had fully justified the doubt he had ventured to express, of the expediency of the House granting a committee, in the previous debate on the affairs of the Arima mining company; as not only being out of their competence, but as afforded a most inconvenient precedent. No man living could follow those hon. members in their statements of mere matter of account between parties in a private concern. He had no doubt there were practices sufficiently fraudulent. The names of members of the last parliament had appeared in a manner perfectly disgraceful; but it was evidently impossible that the House of Commons could make themselves the auditors of private accounts; and, if the House consented to go into the affairs of the Devon and Cornwall company, it was notorious that there were fifty others that had equal claim on legislative attention. All that the legislature ought to do was, to revise the law of partnerships, as to obviate the probability of the recurrence of the evil.

Mr. Brougham thought the House was under a great obligation to the worthy alderman, for bringing a subject under its notice, which he considered fit matter for discussion and inquiry in a committee. At the same time, he apprehended that nothing could be more clear than that, whatever might be the merits or demerits of the individual implicated—a question, on which he begged it to be observed, that he pronounced no opinion—it was not a case in which they were called upon as yet to interfere with the inquisitorial powers of a committee. He would suppose the persons implicated to have been guilty of the most abominable complications of falsehood, fraud, and forgery; crimes, be it observed, which he by no means allowed to be proved against the hon. gentleman, for he had, as yet, no evidence before him upon which he could pronounce an opinion; but, even supposing that he was charged with all these, still he was prepared to contend, that the House could not step out of its way, and erect itself into a court of criminal jurisdiction to try those offences. The hon. member for Sudbury had defended himself with great zeal and ability, and, as far as he at present knew, it might be with great justice; but even if the crimes of which he was accused were a thousand times worse than they really were, still he did not see reason for appointing a committee at that moment, and surceasing all the regular business of the House, in order to prosecute an inquiry which was already a matter of investigation before the regular tribunals of the country. He looked upon the hon. member to be no more to that House at present than John Noakes, or any other person; and he agreed with the hon. member for Colchester, that there might be ground for moving, that a man should, as an attorney, be struck off the rolls; but there were none upon which that House could proceed to enter into the questions of expulsion. He was bound at the same time to say, for he knew it from his own professional knowledge, that the assertions of the hon. member for Sudbury, as to there being trials at issue, were perfectly correct. One of them, he believed, had been brought to trial; and he was bound in the same manner to say, that the opposition party had defeated them solely upon a point of form, while the merits of the case had not, in the slightest degree, been touched. There was a case, indeed, in which that House might interfere. If the
hon. member made use of his situation as a member to do an injury to another, then it was clear that they had a right to inquire, and to punish; but when a person, not even at the time a member of the House, merely exercised his right of action as an individual in certain commercial transactions, he could not see how the right of inquiry could be established. He would put a case to the House—supposing that certain persons, not directors, as they had here, men boldly putting their names to the thing, and marking themselves out for discovery and accusation: for, of one person of that kind, who had jobbed in shares, there were twenty much worse who had pursued the same system in private—but, he repeated, he would suppose men who had made themselves monstrous active upon committees, in their capacity of members of that House, for the purpose of putting off those concerns in which they held shares, and thereby abused their station as members of parliament, then he would say they had a case; and, if the individual had forfeited his character as a gentleman and a man of honour, the House had a right to get rid of the contamination of his society. But even then it was right to wait for the proofs of that guilt. They must wait until the courts of law convicted the offender, and when the record could be produced in that House—then, and then only, were they justified in appointing a committee to consider the question of expulsion. There was, to be sure, a case in which individuals might combine for the purpose of screening an offender, and preventing his public trial; but then the House, when such charges were made, and they saw the question might not to be tried, had the power of commanding the Attorney-general to prosecute the offender in the courts below. There was, however, no such fear at present; and were they, on some charges, which, without impugning the assertions or statements of the worthy alderman, were vague, irregular, and might prove unfounded and unjust—were they, without any evidence on oath, to appoint a committee, for the purpose of collecting all the gossip of the town; for all such things were heard before committees? Were they to appoint a tribunal to hear what one man said that another man did, in order to settle a question which was already before the proper tribunal, and the only one where all the points at issue could be fairly tried? A committee of that House was the most rigid and the most unspARING of all methods of inquiry. He would say, God forbid that this method of impeachment—for it was nothing less—should be put in force on such occasions, or that they should be guilty of the strange anomaly of sitting to investigate such matters when they were under inquiry elsewhere! He thought the House had gone much too far in the Arigna business, and he was glad of an opportunity to retrace their steps; for although the question there had been with regard to the fitness of a gentleman to hold an office, and he himself had entertained inquiry, he was doubtful as to the propriety of the course they had adopted, and dreaded any extension of the principle. He was glad the House shewed an abhorrence of such swindling, for it deserved no other name; but they ought to recollect there had been cases of the most notorious violations of faith in private life and of honesty in public, upon the turf and elsewhere, which the House had thought it fit to pass over, rather than lay the precedent of any trial or condemnation before an incompetent tribunal. If they went into one of these things they must go into a thousand, and the labour would be endless. The South-sea case was not at all in point. There the Chancellor of the Exchequer, and members of the government were implicated, in a manner which said little for the honesty of our forefathers; and the ferment was as great as the ruin was extensive. If any member of the present government had been guilty of such things, he would vote for impeachment instantly; but he would not consent to apply this rule to a private individual; and he considered the precedent "more honoured in the breach than in the observance." The learned member concluded by declaring himself totally unacquainted with the circumstances of the case, and willing to remain so, until a court of law had pronounced its decision.

Mr. Brogden, after the frequent allusions made to him in the course of the debate, hoped the House would permit him to make a few observations. He felt bound to vote against that committee and all others like it; because he thought it unfair and unjust, and only to be likened to the Star-chamber inquisitions, in their effect upon the individuals who unhappily came before them. He had been, for the last three months, placed in a state of
despair, which was really scarcely to be endured, by the inquiries entered into before a committee of the same description; and, he repeated, there was nothing in the Star-chamber more base or more oppressive. A tribunal was appointed to inquire into and decide upon the whole of the acts of a man's life, without his having the power to challenge a single individual, no matter how prejudiced, or how partial, or how hostile, he might know that individual to be. He did not mean to say, that any of the members of that committee were men to be objected to, on those grounds. He knew but one individual who was an exception, and he might name him, but he would not; but still there were many whose appointment he ought to have had a right to impugn, if he pleased. There was the hon. member for Surrey, whose return he had opposed; and that might have been a good reason for objecting to his sitting upon such an inquiry. There were two or three members who, knowing nothing of the case but what they had read in the newspapers, were yet known to have expressed opinions hostile to him before their appointment. Were not these, he would ask, grounds of objection to such a mode of inquiry? Could any thing be more inconsistent with all the rules of society or of justice, than to appoint such persons to sit in judgment upon a question purely commercial? Military men were tried by a court martial of military men. Merchants elsewhere abided by the decisions of a jury of merchants; but he was tried—by whom? By country gentlemen and by young officers, some of them cornets, he believed; and he need not say, totally unacquainted with the subject of their inquiry. He had no knowledge even of their proceedings, for, although he was entitled, as a member of that House, to be present at the proceedings of the committee, he was debarred of the power to take any part in the inquiry, or to propose a single question, even the most important, in order to elucidate any thing obscure, or to contradict any thing that was false. Some of the members of the committee, men to whom he could have safely intrusted his case, such as lord Althorp, Mr. George Lamb, Mr. Whitmore, colonel French, never attended the meetings at all; but, if he could have anticipated the rancorous conduct of one individual, he would have had pleasure in throwing himself at once upon the House, rather than have been subjected to the consequences of his persecution. Not being used to the proceedings of such committees, he wished to make some explanations; but he was told by that person, that he was not to ask or make questions—he must wait and answer on his examination; so that he had the same person as his judge and as the advocate against him, without the power of repelling his attacks. There were three hon. members, Mr. Dickinson, sir R. Vivian, and lord Clive; three individuals by whom he would most willingly have submitted to be tried, who attended the committee regularly until Christmas, after which they went away. There were three other hon. members, Mr. Ward, Mr. Twiss, and Mr. Palmer, who attended, sometimes; but not regularly. On one occasion he had addressed an application to the hon. member for Surrey, especially requesting his attendance at the committee on a particular day. The answer was, that he could not attend, for he was going to see a prize-pig at Smithfield. He trusted that those who read the report would also read the evidence. Unless they did so, they could not fairly judge of the merits of the case. The report was a laboured argument. There was one circumstance which, by some unfortunate and cruel mistake, had not been sufficiently adverted to. The committee of proprietors of the Arigna mining company, after a careful examination of the facts, had exonerated him from blame. That judgment had been confirmed at four general meetings of the proprietors; and he had, in consequence, been re-elected to the chair. With respect to the Arigna mining company itself, he denied that it was a bubble. He had never been connected with any bubble; although he had been connected with a number of highly beneficial public undertakings; and among these, with the Provincial bank of Ireland, which had done infinitely more good than all the bubble companies taken together had produced mischief. He apologized for having intruded so long upon the attention of the House; but he was sure that they would feel for his situation and excuse him.

Mr. Robert Grant observed, that he would not say a single word in answer to what had fallen from the hon. gentleman, but would merely observe, as chairman of the committee which had been appointed
to inquire into the transaction, that, as far as he was concerned, he had not the slightest intention of proposing any further proceeding. In reply to some of the observations which had fallen from the learned member for Winchelsea, he begged to remark, that in the examination of witnesses the committee had endeavored to adhere, as closely as the character of their functions would permit them, to the rules of a court of justice. He was quite of opinion, however, that the appointment of such a committee ought not to take place, except in extreme cases; and, among other much more important reasons, for this very minor one, that it was impossible to conceive any situation more painful than that of one of the members of such a committee. In justice to the worthy alderman opposite, he must say, that he had not shown any undue asperity; and that he had devolved much of that which he would have been authorised in personally doing, into the hands of the committee generally. Upon the whole, he was rather disposed to object to the present motion.

Mr. Ward denied that he had not attended to the proceedings before the committee, and said that if the hon. member would call upon him, he would show him such voluminous notes upon those proceedings, as would prove that he had not neglected his duty.

Mr. Alderman Westman declared, that a more honourable committee had never been appointed, or one which had attended more sedulously to the business before them. Although he still thought that the committee for which he had moved might be advantageously appointed, yet, admitting that there was some reason in the distinction drawn by the learned member for Winchelsea, between those who had entered into such speculations before they became members of that House, and those who, being members of the House, entered into them, with the leave of the House he would withdraw his motion.

The motion was accordingly withdrawn.

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HOUSE OF LORDS.

Thursday, May 17.

NEW ADMINISTRATION.] Earl Measures hoped he might be permitted to trespass for a few moments on their lordships' time, whilst he stated the motives which had induced him to refuse his confidence to the present administration. Of the difficulties which the right hon. gentleman at the head of it had experienced in forming the new government, he knew nothing but from newspaper authority; and of the motives which induced the late cabinet to resign, he was equally uninformed, except from the same source; but surely it could not be denied that the basis on which the present administration rested must be Catholic emancipation. He understood that a vital change in the constitution was the object of the present government; and with that impression on his mind, having resisted that important question in every shape and form for the last twenty-five years, he trusted he should not be stigmatised as acting from any factional motives, if he felt it impossible to afford his support to the advisers of the Crown.

Lord De Dunstanville saw no reason for withholding his confidence from the present ministry. With regard to the question of Catholic emancipation, he thought that the Protestant religion would gain more by conceding than by opposing the claims of the Catholics; that more converts would be made by emancipation than by any other means.

The Earl of Aberdeen said, that he could not avoid making a few observations on the situation in which the existing administration was placed, and on the transactions which had recently taken place; but he felt it necessary first to declare, that he belonged to no class of opposition, whether factional or otherwise. He differed from the noble earl as to the support which should be given to the present administration. Setting the declaration which had been repeatedly made, that it was formed on the principles of lord Liverpool's government: therefore any resistance to such a ministry must be founded on personal objections,—a course which he decidedly disapproved. The present government had been called a provisional one. He thought that more importance was attached to that circumstance than it deserved. If it pleased the king to engage any portion of his ministry for limited service, as he did his troops, he saw no great reason to complain of such an exaction of the royal prerogative. No man who knew the abilities of the right hon. Secretary for Foreign Affairs so well as he did, could doubt his capacity to discharge the duties of his situation; and that being
the case, it did not appear to him a matter of much importance whether he held it permanently or not. There were, however, some circumstances connected with the formation of the administration which prevented him from giving it his entire confidence. He referred to the condition in which a question which had occupied much of their lordships' consideration was placed. He had never viewed that question in the same light as other noble lords, either as to the great benefit or the great danger which was supposed to be likely to result from its success. He thought that the results which were anticipated, on either side, were in a great degree imaginary. He had, notwithstanding, always given his support to the measure; and it was probable that he should still continue to do so. Some noble lords, however, entertained a stronger opinion than he did of the importance of emancipation; and that those noble lords, having those views, should pass over to the other side of the House to support the administration, and even to form a part of it, did certainly appear to him very extraordinary. It was, he repeated, extraordinary, that those noble lords should so act, when they knew it was not even to be attempted to make Catholic emancipation a cabinet measure—that, in fact, a species of engagement existed, by which the administration was bound not to make either that question, or any matter connected with it, a cabinet measure. In lord Liverpool's administration, when the majority of the government was opposed to Catholic emancipation, it could not, of course, be made a cabinet measure; but now that an immense majority of the ministers maintained that the measure was indispensable, urgent, and admitting of no delay, that these individuals should agree to postpone it indefinitely was indeed most extraordinary. For that the measure was practically so postponed, and its success thereby rendered infinitely less probable than at any former period, could not, he thought, be doubted. There was a matter connected with this subject to which he wished to direct their lordships' attention. He alluded to the report of a speech addressed by a right rev. friend of his, to the clergy of his diocese. Most of their lordships had, no doubt, seen that report, which he had ascertained to be perfectly correct. The speech in question advanced the most cogent arguments against the probability of the speedy success of the Catholic question. How those arguments ought to be considered—whether as coming under the knowledge of the present administration—whether any of the present administration were to be considered as responsible for them—whether, finally, ministers were to be looked upon as the authors of those arguments, he did not know: but their lordships would observe, that this speech was not made on an unimportant occasion. The occasion was one of great solemnity. He would ask the rev. bench, if they should lend their support to the government—as most likely they would—whether they would not adopt that course mainly in consequence of the cogency of the arguments employed by his right rev. friend? He would ask the right reverend bench, whether they did not think that the chance of the Catholic question being carried was not further removed at the present moment, than it was under the administration of lord Liverpool? The noble lords who had gone over to the other side of the House declared, that the main cause of their adherence to the administration was the probability, nay, the certainty, which they saw of the Catholic question being carried. If such were their opinions, why had they entered into an engagement to get rid of the question? It could only be upon the principle that the end sanctified the means employed to attain it; for certainly such conduct was, to say the least of it, strangely inconsistent. On the one hand, the right rev. bench supported the administration, because they were persuaded the question was out of all danger; and, on the other, the noble lords who had passed over to the government side of the House professed to do the same thing, because they thought emancipation would speedily be accomplished. This state of things, though very convenient perhaps, did not present to his mind that plain, honest, and direct, course of proceeding which was so congenial to the minds of the people of this country; and he was much mistaken if the feeling which he entertained on that point was not becoming general throughout the empire. He did not mean to impute bad motives to any person; and, with respect to the question of Catholic emancipation itself, he attached much less importance to it than most of their lordships. He thought that the fair and honourable character of public men was of infinitely more importance; and at the present
New Administration.

May 17, 1827.

moment it appeared to him, that that character was liable to be called in question. Under all circumstances, he must repeat, that it was impossible for him to give his entire confidence to the administration.

The Earl of Abingdon rose for the purpose of denying what it seemed the intention of the last noble speaker to assert; namely, that the noble lords who sat on that side of the House constituted a factious opposition. Though he spoke from those benches, he trusted he should not be classed as one of a factious Opposition. He had always been the strenuous supporter of a regular government, and entertained a strong feeling of loyalty for his king, and of attachment to the constitution of the country, in church and state. An adherence to those principles had supported the country through all its difficulties, and had procured for it permanent peace and prosperity. A departure from those principles he considered dangerous to the welfare of the empire. Such being his opinion, he found it impossible to give his support to the administration.

Lord Holland said, that in the discharge of his duty as a peer of parliament, he had always endeavoured, though perhaps he might not always have been successful, to confine the observations which he addressed to their lordships to such points as were immediately under consideration; or at least to such as were likely soon to be brought under consideration. However, since the meeting of parliament, after the recess, it had been greatly the fashion to enter into discussions totally irrelevant to any motions before the House, and, instead of standing upon general principles, to make professions of political faith, not only of the government or the individuals representing it, but of almost every person who sat on that side of the House. As it generally happened that people caught something of the manners of the company amongst whom they sat, it would not be surprising if he should himself indulge in some of those irregular observations of which he had heard so much from others. He, amongst others, had been put on his trial—not for any opinion he had expressed—not for any vote he had given—not for any principle he had abandoned—but only because he had changed his seat. He was called upon to explain why he had changed his seat in that House; and this call, be it observed, was made particularly by those who had themselves changed their seats at the same time that he had changed his. He believed he might venture to say, that he disagreed upon every point with the noble lords who had lately left the king's service. There was scarcely one of the various topics which pressed upon the consideration of parliament, with respect to which he did not disagree with them. That very circumstance, then, would sufficiently account for his supporting the remnant of the late administration, when he found those noble lords opposing it. Such a course of conduct proved the consistency of both parties. The noble lord who spoke last but one, had put the withdrawal of his confidence from the government entirely on the ground of the State of the Catholic question; although at the same time he said, that the government was formed on the principle of Lord Liverpool's administration. Now, he held, that the government was not founded on the principle of Lord Liverpool's administration. The present government did not hold out the same prospects as that of Lord Liverpool. He had heard it stated by those who had left the administration, that the principle of Lord Liverpool's government was, that there should be a person who was inimical to the Catholic claims at the head of it. He had heard it so stated in that House. Either that statement was true or it was not. The noble lords opposite alleged, that it was one of their reasons for retiring from office, that the principle of Lord Liverpool's administration had been departed from, in the appointment of a prime minister who was favourable to the Catholic claims. Let it not be supposed that he was blaming the noble lords for retiring from the administration. On the contrary, he rejoiced so much at that event, that he was, perhaps, too prone to view it with a certain degree of favour. He thought they had a perfect right to resign if they thought proper. They had, however, stated in justification of those proceedings, that the principles of Lord Liverpool's administration had been departed from. That had been stated over and over again; and the particular in which this departure was most evident was the appointment of a person to be at the head of the government who was friendly to the Catholic claims. A noble lord who had lately been called up to that House, had told their lordships,
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In 1825, such were the principle of Lord Bonaparte’s government, in the opinion of all those members of it who were unmixed

southerner, and such opinion was not communicated to those members when they were friendly to it, or when they were hostile to it, that it might be dealt the latter did not seem to have been dealt fairly, directly, and plainly by. He would

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the story, because it was in some degree applicable to most oppositions. The task which they had undertaken had long been his. He saw nothing fantastic in their exercising their undoubted privilege, of endeavouring to enforce their opinions. He only wished that they would bring forward some plain and direct question, for he considered it derogatory from the dignity of the House, and injurious to the service of the country, for public men to be fingering dirt at each other, and speculating as to what might be the principles of this or of that man. Why not bring the matter to a direct question, with respect to which men might honourably differ or honourably agree. If it be asked, what principles I have abandoned, what opinions I have altered? I answer, none. The present was not the first time in the course of his political life, that he had sat on the side of the House from which he was speaking, to support an administration in which he had confidence. What were the circumstances under which he last sat on those benches?
The Catholic question had been discussed and lost; subsequently to which an administration was formed, chiefly of persons who were favourable to the measure. That administration was, he believed, formed in the earnest hope that, by means of a prudent, suspensory system of government, and by keeping the question for some time at rest, the country would be gradually prepared to accede to the measure. When he supported that administration on those grounds, he was not tainted with inconsistency; though he felt then, as strongly as he did now, the importance of removing the remaining disabilities under which the Catholics laboured. There was nothing which he would not do, either in the House or out of the House, to forward that great question; and even to accelerate it. But, how should he best accelerate it? By supporting the present government, or by opposing it; and opposing it, too, for the purpose of restoring to power the sincerely but inveterate enemies of emancipation? The present administration was, in some degree, composed of the materials of the old one; but it contained none of the strongest enemies of emancipation who were included in the late cabinet. A noble lord had stated, that he (lord Holland) had been constantly opposing every act of lord Liverpool's government. Now, during the last three years, he had never divided in that House without voting on the same side with his majesty's present President of the Council. He might safely say, that, during the period he had mentioned, he had not divided twice against lord Liverpool's government on any subject except the Catholic question. Was it 'to be expected that he should, at the present moment, ask the right hon. gentleman at the head of the government, whether he intended to pursue the same policy with respect to foreign affairs, and particularly with reference to the South American States, and also with respect to commercial matters, with which, in the main, he had for some years past concurred? Was he to ask the right hon. gentleman, whether he still persisted in his admiration of Mr. Pitt, in which he (lord H.) never could join? If such a course were pursued, the differences between public men would be perpetual. All views of government and legislation would be as isolated and unconcerted as the learned lord on the cross bench described the late resignations to have been. That declaration certainly surprised him. The learned lord said, that he had himself long intended to retire, and that it was a consolation to know it. He had, however, kept his intention in abeyance for forty years, before he carried it into execution,—But to return to the question.—On what subjects, he wished to know, did he disagree with lord Liverpool's government? The lords seceders (he really did not know how to designate the mass of retired ministers) had their share of responsibility in all the acts of lord Liverpool's government with which he agreed; and therefore he might say that he agreed with them. When he considered the changes which had taken place in our commercial system, and the policy which had been observed with respect to the South American States—when he looked at the situation in which the country now stood, with reference to foreign powers, and contrasted it with that in which it stood immediately before the right hon. gentleman now at the head of the government acceded to office, he could not help thinking, that the changes which had taken place would not have happened but for the right hon. gentleman; and that if he were no longer in the administration, but, in his stead, the noble lords who had resigned, a very different line of policy would be pursued. He thought, then, that though disagreeing with the administration on some points, he might honourably give it his support.—An allusion had been made to parliamentary reform. 'No person had a right to taunt him on that subject. Twenty years ago he formed part of a government for half a year; and, during that time, he never felt it his duty to submit the question of parliamentary reform to the consideration of parliament. In early life he had certainly formed a strong opinion on the subject; and he still differed from many of the opinions of the right hon. gentleman at the head of the government respecting it. However, it so happened, that the question of parliamentary reform had never been mooted in their lordships' House during his recollection. A vote had never been asked on it; but it was his firm determination to vote upon that and every other question (excepting, perhaps, with regard to the propriety of bringing the Catholic question forward this session) precisely in the same way as he would have done had he retained his former seat. He admitted that want of confidence was a good
reason for withholding it from the government in which that individual was placed; but it was too much to charge individuals who did not feel that degree of distrust, with acting inconsistently in supporting that minister, because they did not agree with him on all speculative points. The worst of this mode of argument was, that it imposed a sort of tax on political opinion. Besides which, it led to crimination and recrimination; in the daily practice of which no great body of men could indulge without lowering their character in the opinion of the public. He, therefore, thought the practice unsatisfactory. When he heard a noble duke declare, that he had no hesitation in stating the character on which he was ready to charge him (lord Holland) with acting unwisely, he thought he was doing all in his power to advance that cause, by giving his support to government, rather than by withdrawing it at the risk of the formation of a new administration, decidedly hostile to emancipation. There was one point to which he begged leave to direct the attention of their lordships. It was a question in which the body of the dissenters were deeply concerned. They proposed to bring their case before parliament during the present session, if, on better consideration, they should not think proper to adopt another course. He wished, however, to state fairly to the House, that, if he should be called on to move for the repeal of the Test and Corporation acts, he would do so. That was a question which had never been moved in the House in his time. Those persons who affected to idolize the memory of Mr. Pitt, ought to consider what had been the conduct of that minister, before they condemned others for inconsistency. Did Mr. Pitt never form part of an administration the members of which differed on particular points? Did he not, when chancellor of the Exchequer, move Parliamentary Reform? Did he not continue, year after year, to recommend the abolition of the Slave-trade, though he had heard persons say, that, if Mr. Pitt had exerted himself to the utmost of his ability, he might have carried the latter measure sooner than it was carried. Yet he never heard it said, that Mr. Pitt had dishonoured himself by differing from his colleagues on those questions. Those persons who were most desirous that Mr. Pitt should be thought highly of, described, as the subversion of the Protestant interest, the measure which Mr. Pitt was most earnest to carry into execution. Were he disposed to go more minutely into the history of Mr. Pitt, he should have little difficulty in proving, that he often sat in a cabinet, where the difference of opinion that prevailed rendered it what might be considered a provisional government.—He would now say a few words as to the declared motives of the noble lords who had resigned. He had at once to declare, that all notions of concerting, and of dictating to the king in the exercise of his prerogative, was mere stuff and nonsense. If those noble lords believed, that the appointment of the right hon. gentleman at the head of the government would be injurious, they did right to resign; and he thought, that if they did not do wrong, they at least acted very foolishly in not concerting. He thought further, that with their opinions it would be perfectly constitutional to combine for the purpose of persuading his majesty to reconsider the exercise of his prerogative. He would go a step further, and say, that no political event, no public proceeding, had ever given him such heartfelt joy as their resignation. He was ready to thank them for what they had done. He agreed with those noble individuals in thinking, that the appointment of the right hon. gentleman was a great step towards the accomplishment of that measure which they deprecated. A noble baron had stated, that he would oppose the government because he thought its present construction, and the exclusion of the exclusionists, was likely ultimately to lead to some relaxation of the restrictive laws.
against the Catholics. That was all very well, so far as it went; but then the noble baron turned round, and called upon those who supported the Catholic question to vote against the ministers, because that question was abandoned. This might be a very good mode of getting votes from two parties. To one the noble baron would say, "You must oppose the government, for it is clear they intend to carry the Catholic question, of which we disapprove;" and, in the next breath, he would turn round to the other party, and say, "You must be blind if you do not see that the government has completely abandoned the question—that they have put it off ad Gremias calendas." This was like painting black and white with the same brush.—The government was not exactly what he could wish it to be; but, being compelled to make his choice between two things, neither of which he perfectly approved, he could not be blamed for taking that which he liked best. He had made his option to support the government; though he wished some of its principles were other than they were. It was impossible that the supporters of a great government should not see in its measures much which they would wish to have altered. The allegiance of party did not imply the surrender of opinion on every point. He liked the measures of the government in the gross; and thought that, by supporting it, he was assisting the cause of religious liberty. He differed from the views of all the noble lords who had retired from office. With respect to the learned lord who had quitted the wool-sack, however mischievous he might conceive his public conduct to have been to the liberties of this country, he felt great regard for him, on account of the personal courtesy with which he had treated him. Nevertheless, he could not help expressing his surprise at having heard the learned lord say, that he had resigned his office for the sake of civil and religious liberty. Was it by constantly opposing the admission of one third of his majesty's subjects to the enjoyment of equal rights, that he manifested his attachment for religious liberty? Then, with respect to civil liberty, during thirty years that he had been in parliament, he never recollected any bill which directly or indirectly tended to abridge civil liberty, that the learned lord, and most of those who sat around him, had not supported. For the reasons which he had advanced, he would give the government his support.

The Earl of Winchelsea declared his intention to support any measures emanating from either side of the House, which he conceived to be calculated to promote the welfare of the country. The only means of forming an opinion, with respect to future conduct was, to look at what had been the tenor of the past. What confidence, then, could be placed in an administration which had been formed out of a coalition of the most opposite parties? What security for sincerity—what pledge of uprightness—could such a government give? It had been stated, in the other House of Parliament, that the administration was to be conducted on the principles of lord Liverpool's government. But the noble lord had just informed the House, that the administration was not to be conducted on those principles. For that open and manly avowal, he returned the noble lord his sincere thanks. Their lordships now knew how matters stood. There was now an end of the bone of contention which had existed for so many years. The sacrifice of opinion had not, it was clear, been made by the Whig party. It must have been made, in a certain degree, by the individual at the head of the government. From the observation which he had made of that individual's career, he believed he had made the profession of Tory principles only the stepping-stone to the eminence he had attained. He had no personal hostility to the individual. He had never possessed the honour of his acquaintance. He, however, entertained a strong political hostility towards him, which was founded on a review of some of the principal acts of his public life. Public acts were public property, and formed a fit subject for comment by a British senator, in the discharge of his duty. There were some parts of the public conduct of the present head of the government which had made a strong impression on his mind. There were circumstances connected with the political history of that right hon. gentleman, which were calculated to excite suspicion and alarm. Let the House call to its recollection the conduct of that right hon. individual, on the occasion of an important trial which occupied the attention of that House. There was not that straightforward, open, and consistent line of conduct observable in
The political dealings of that right hon. gentleman, for which the House and the country had a right to look, in one who held the first situation in his majesty's government. When he considered that the present government was supported by individuals who all their lives were distinguished by their zeal in forwarding the question of Catholic emancipation—when he recollected that the powerful prerogative of the Crown had been exerted, in selecting persons favourable to that measure—he owned he felt alarm at such a state of things. If, as it was confidently said, the question of Catholic emancipation was to be carried by the present ministers, in God's name let them at once honestly and openly say that such was their intention. Let not the country be deceived by a show of neutrality, when the intentions of ministers were to carry that very question. Feeling strongly the impolicy and danger of concealing emancipation to the Catholics, he would, to the last hour of his life, raise his humble voice in opposition to their claims.

Lord Ellenborough said, that the noble baron opposite had shown a degree of official soreness which he had not expected from him, and which appeared to have no other foundation than the existence of an Opposition, which was usual on occasions like the present, and whose right to question the proceedings of government his noble friend seemed so desirous to control. He hoped, however, that his noble friend would have a better regard for the useful rights of an Opposition, and not apply the term "factious" to those who felt it their duty to stand forward on the present occasion, for no other purpose than simply to ascertain the principles on which his majesty's government had been formed. His noble friend had declared, that he differed from those individuals who had left his majesty's councils, on every topic; and yet he now supported a government, which was said to maintain the same principles on which the late government was founded. Now, he could not exactly comprehend why his noble friend should have opposed the government of the late lord Liverpool, and yet avow his support of the present administration, if the fact were so, that the principles of both were similar. The truth, however, was, that the country was wholly at a loss to know the principles of the present government; and he could not but consider, that it would be highly convenient and expedient, if the noble viscount opposite would at once inform the House as to what those principles were. He was of opinion that the noble viscount should distinctly state whether any and what engagement ministers had entered into with those who gave them their support. His noble friend had avowed, that in going over to the other side of the House, he had not changed his principles. If it was the case, however, that the present administration was founded on the same principles as those professed by lord Liverpool's government, he felt inclined to think that his noble friend would find the seat which he had taken not the most comfortable. What was the security held, in the other House of Parliament, by those who professed the opinions of his noble friend? Did the mint offer that security, or the woods and forests? Had any of those individuals in the other House, who had avowed their support of government, taken any official situation, by which they were identified with the acts of ministers? Did his noble friend and his new supporters forget that the right hon. gentleman at the head of the government proposed to form an administration on the principles of lord Liverpool; by which means the Catholic question could not by possibility be carried? Where, then, would be found any desire on the part of the right hon. gentleman to push forward the claims of the Catholics? and on what other ground had the right hon. gentleman claimed the support of that party, who now came forward to give him their countenance and assistance?—His noble friend had declared, that the Whigs had not compromised their principles in joining the present administration; but the Whigs as a party, were no longer in existence. That name, which at one time was connected with all that was high and honourable—that name, under which his noble friend had, for so many years, rendered his services to the country, following the footsteps of his ancestors, and supporting their principles—that name was for ever annihilated, and in future would exist only in the records of the country. The Whigs, as a party, might have had their errors; but the name was associated with many noble recollections; it was the great land-mark to which the country looked with confidence, whenever a period of national difficulty occurred. The party, however, was now no more; and it could not be concealed;
New Administration.

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that their extinction was occasioned by their late unworthy alliance, and by that sacrifice of personal dignity, of which there was no similar example in the history of the country. Was it possible to look back—not for the last three weeks, but for the last three years—and call to recollection that system of adulation which had been practised by some of the members of his majesty's government towards that party whose political existence was now no more? Was it possible to remember the flattery which had been used, and which had so disgusted the public mind, and not perceive that the coalition which was now effected had long been preconcerted? There existed, however, one honourable exception to the sacrifice of dignity and consistency, and that exception was afforded by his noble friend behind him (lord Grey), whose speech on a late occasion was distinguished by an eloquence to which no words could do justice. If high and honourable feeling—if consistency of political conduct—were in those times worthy of approval, that speech would reflect an honourable lustre on the character of his noble friend. That speech had removed every inch of ground from the noble lord opposite. Religious liberty was one of the reasons assigned by his noble friend for the course he had pursued; but the speech of the noble lord entirely crushed that argument, and the country would henceforth form a better estimate of the value of such professions.

But there were circumstances connected with this coalition which required explanation. It had been publicly stated, that the right hon. gentleman, now at the head of the cabinet, received an intimation, prior to the formation of the ministry, that if he were placed at the head of affairs, a certain party would give him their assistance. He had one or two observations to offer on this proposal. The first was, that if such an intimation had taken place, it should have been publicly stated in parliament. In the next place, such a union of interests was, on principle, highly objectionable; because, the responsible leaders of a party always in opposition to the government should not be allowed suddenly to give that government their support; unless they consented to take office, and were thereby, in some measure responsible for the assistance they afforded. On constitutional principles he objected to such a proceeding; and he hoped it would not be found, that the leading minister in the House of Commons had been holding communion with individuals of opposite principles, for the purpose of casting those with whom he had been acting. Hearing these things pretty broadly hinted, and knowing that there were prima facie proofs of conduct worse than this, he was justified in viewing the conduct of the right hon. gentleman, with reference to the late arrangements, with the greatest distrust. His noble friend (lord Lonsdown) had given proof that the acceptance of office was not an object of desire to him; but there were others, who, like the spectres described by the poet, stood in miserable nakedness on the banks of the Styx, in expectation of being ferried over:—

"Stabat erat privis transmittere cursum,

Tendensque mensis, ripa ulterius amans."

His noble friend, he was sure, was not over desirous to possess himself of office; and when he conferred with his noble friend upon the subject, he told him that he had every dispositions to support an administration of which he should be a member, but that he could not bring himself to support a government of which Mr. Canning should form the head. His noble friend, no doubt, believed that, by passing to the other side of the House, the Catholic cause would be forwarded. That cause, however, could not be accelerated by any ministerial arrangement, so long as it was known that a disposition hostile to it existed in a high quarter. Although he possessed feelings of the greatest distrust towards the present government, he did not mean to oppose its measures through any factional feeling: but it was his firm determination at the same time to view every measure brought forward by ministers with the greatest suspicion and distrust.—With regard to the supposition, that the Catholic cause would be forwarded by the preponderance of interest in its favour, in consequence of the new arrangements, that circumstance could have no other effect, than to excite hopes in Ireland that must, in the end, be blasted, and to raise the fears of Protestants in this country. No man wished more fervently than he did to see the question of Catholic emancipation carried; but he could not shut his eyes to the difficulties by which it was surrounded. If he went into the cabinet of the king, those difficulties met him there. In every church they met him. The withholding of that great national question, deprived
his majesty of many excellent subjects, whose talents would be devoted to his service; and, so long as the claims of the Catholics were disallowed, the sanctuaries of private life would not be respected, the ties of friendship would be violated, and those of kindred severed. In England the withholding of that measure might be called a grievance, but in Ireland it was a malversation. He therefore deprecated any attempt to awaken hopes that must end in disappointment, and be attended perhaps with worse consequences; for despair would infallibly be the result in Ireland, when the expectations so improperly excited should be blasted. He wished the question not to be agitated at present, but left to the good sense and growing liberality of the people of this country, who, he was convinced, would, at no very distant day, be induced to forego their prejudices on the subject.

Lord Goderich said, that the noble baron, who had just sat down had frankly stated his intention of taking every opportunity, convenient or inconvenient, of manifesting to their lordships and the country his determination to carry on that which he had, in the early part of these discussions, described as an uncompromising hostility to the present government. He had plainly avowed, that his object was, by those separate, inconvenient and unsatisfactory debates, to produce an impression on the public mind. Such might be his object; but, in effecting it, those who were thus put upon their trial had the most unjust imputations cast upon them, and were reviled as men almost incapable of honourable and proper feelings. He complained of this course as most unjust; and he declared that, if fair dealing was intended, it ought no longer to be pursued. If they were to be told that they did not deserve the confidence of the country, for God's sake let a motion be brought before the House for that purpose; he sought for nothing else. It was impossible for those who were engaged in the service of his majesty to do justice to the duties they had undertaken, if they were to be attacked in this way. When those imputations were thrown upon them they were expected to treat them with indifference. For himself, he must declare, that he should meet the decision of such a question, when it came—if ever it did come—with that perfect fearlessness which he had hitherto shown upon political questions; and, if the results should prove different from his anticipations, he should still feel the greatest indifference. But he was not indifferent to the language with which he and his friends had been, for some time past, assailed. It was impossible to remain altogether insensible to the violence of that language. Did the noble lord imagine that ministers were ice or stones? True it was, that they had hitherto thought it necessary to their honour and character to represent the feelings which the language to which their lordships had recently listened, was calculated to excite in their breasts. It had hitherto been the duty of the side of the House on which he sat to repress those feelings; but he trusted that in future such a distressing necessity would cease to exist, as he expected that, in candour, a question and a vote, to determine what the real sentiments of the House were, would be introduced. He did not quarrel with the noble lord for doing all that it might be in his power to do, to hurl ministers from their present seats. If it was the opinion of noble lords in that House, and of honourable gentlemen elsewhere, that he, and those with whom he had the honour of acting, had forfeited the confidence of parliament and of the country, in the name of God, let their lordships definitively pronounce an opinion to the effect, and let the present ministry be sent about their business. But if, on the other hand, we have not deserved to be thus stigmatized, let there be an end to so petty and harassing warfare. All that he or his friends could say was, that they were anxious to meet the question fairly, if any noble lord would bring it fairly forward. But he must, once for all, protest, in the most decided manner, against being thus baited, night after night, with questions so artfully contrived, as that silence, upon the part of himself and his colleagues, could be tortured into the most unjust and injurious constructions. The questions which the noble lord had, that night, thought proper to put were not, however, of a nature, even though unanswered, to justify such conclusions; but he would, nevertheless, give, without the slightest hesitation, the most explicit answer to those questions; still maintaining that he might, with perfect propriety, stand on his right of refusal. The noble lord had inquired whether, in the formation of the present government, there had been any stipulation either in favour of or contrary to the Catholic claims? For
himself, as well as for his colleagues, he could assure their lordships, that he had never heard of any such stipulation, either the one way or the other; and that, as far as he knew, it only had existence in those vague rumours to which the noble lord had thought proper to lend the weight of his name and character. If any such engagement had been proposed to him, he would at once have rejected it—he would not say with scorn, but in a manner which must have for ever precluded the renewal of a proposition of a similar nature. He had spent some time in parliament; and he must say that, during his political experience, he had never heard made, against any administration, a charge more false and groundless than that which their lordships had recently heard. For himself he could only say, that he appealed to the tenor of his whole life, as the best refutation of such a calumny. While making this assertion, he was far from accusing noble lords with having alleged that which they knew to be untrue. He doubted not that their lordships believed all that they assumed; but he was sure that their lordships and the country would concur in his opinion as to the error under which these noble lords laboured. He professed to know nothing concerning the proposals of assistance and conjunction asserted to have been tendered by those, whose usual seat was on the opposite side of the House to that of the right hon. gentleman who was at the head of the government. But even were he better instructed in this respect, he saw no reason which could induce him to be communicative. He was totally at a loss to understand how noble lords could possibly justify to themselves a system of hostility, founded upon idle and groundless rumour.

Lord Ellenborough observed, that his questions were grounded on admissions from noble lords opposite.

Viscount Goderich said, that the only admission of which the noble lord could avail himself was, that the right hon. gentleman at the head of the administration had done his utmost to form an efficient and powerful administration, without any sacrifice of public principle.

Lord Ellenborough agreed with the noble viscount, but still asserted, that that administration could not go on.

Viscount Goderich said, that that remained to be proved, and he most anxiously desired to have the question solved by a parliamentary vote. The mode of assault to which he was now directing a repulse, was not of that species which the manliness and candour of the noble lord would have induced him to expect; he had thought that the noble lord would have immediately come into collision with ministers, and fairly contested the debatable ground, instead of skirmishing at the out-posts, and annoying his opponents, without any definite object. It was contrary to the expectation which he had formed of the noble lord’s conduct, to be bemired and baited daily like a malefactor. The administration was not tried, and all he desired was fair play. Ministers wished to justify their characters; they were mutually anxious to rescue themselves from such a species of harassing persecution. He would not touch upon the Catholic question, as it involved too much discussion. On the present occasion he could not, however, refrain from testifying his advocacy of that measure, as sincerely as any of his present or former colleagues. But that attachment had its bounds, and would not carry the question by main force; neither would the noble lord himself, under the circumstances. The noble lord’s speech contained a most extraordinary charge. It implied, that there should be an equality on both sides on the Catholic question. He would ask the noble lord, if that was not the state of the cabinet, at the head of which lord Liverpool sat for fifteen years? And yet that cabinet did not receive the noble lord’s support. He had often wished its dissolution, and now proposed it as a model. He (lord Goderich) did not adopt the principle of necessary equality upon the Catholic question; and he felt that, as the cabinet was formed with respect to it, he was left open to take office under the right hon. gentleman. The component parts of lord Liverpool’s government still remained, and let the test be its acts. The remaining members of that cabinet had given their counsels to the king for more than fifteen years; and had, through good repute and through evil repute, borne the country through all its most alarming perils. Could any sacrifice of principle be alleged against the members of the present government? The political members of it repelled any such insinuation. Their principles were unchanged, and all he asked of their lordships, was to suspend their censure until proofs were adduced to justify it.
The Marquis of Lansdown said, he could not but express his surprise and regret at the unexpected discussion which had taken place. He should feel most happy to give the noble lord opposite, or any other noble lord, the fullest explanation on any subject connected with his majesty's government, provided the question was brought forward on proper notice in the regular form; but he must condemn in the strongest manner, these irrelevant discussions. When any question was brought before their lordships that called for inquiry, he should feel no objection to discuss it item by item, but he would not be induced to give any explanation to rumours gleaned from newspapers, and reports gathered from the registers of past times, for the purpose of heaping odium on a government which was framed on principles as honest and as honourable as any that had ever been formed in the country. He should not, however, be betrayed by his feelings—though he left the House to judge what those feelings were—out of that track which he felt most consistent with his own character, and most conformable to the wishes of those with whom he had the honour to act. It was said by the noble lord opposite that the coalition which he (lord Lansdown) and his party had formed with Mr. Canning's government was unworthy the confidence of the country. The noble lord, also, in direct terms spoke of a correspondence carried on for unworthy motives. Such charges he at once asserted to be false. He did not mean, of course, to attach a direct falsehood to the noble lord; but his assertion was certainly one of the most extraordinary proofs of a disposition to believe that which happened to agree with his own views and wishes. He hoped his majesty's government would be judged of by its acts. The characters of public men should not be aspersed by the imputations of unworthy motives. The day would shortly come when those who were connected with that government would be found to have acted from the most disinterested, patriotic, and honourable, motives. If the noble lord who commenced the attack really credited one tenth of the reports to which he had given such ready belief, he would not be doing his duty to the House or to the country, if he did not speedily bring forward a motion, the effect of which would be, to bring the whole question before parliament. The noble lord, who had stepped into the ranks of the Opposition before he knew the principles of the government he stood forward to oppose, ought in justice, and consistently with his own manliness of character, to bring forward a motion, such as that to which he had alluded. For the honour of parliament, and for the satisfaction of the country, this ought speedily to be done. Not only the character of government required that inquiry, but the character of the Opposition also demanded it; and he could assure the House, whenever that motion was brought forward, it should be readily met by his majesty's government.

Case of Miss Turner.] The Earl of Eldon presented a petition from Edward Gibson Wakefield. The petitioner stated, that the most material allegations of the petition of William Turner were untrue. He prayed their lordships' permission to be heard personally at their lordships' bar, against any bill that might be introduced to dissolve the marriage between him and Miss Ellen Turner; and he stated in the event of their lordships' allowing him to appear at their bar, that he should be unable to avail himself of that permission, unless by an express order of the House, as he was at present confined in gaol by the judgment of the Court of King's-bench. The order of the day for a committee of the whole House was then moved. The petition of W. Turner was read by the clerk. It contained a statement of the facts relative to the marriage of Miss Turner which were proved on the trial of E. G. Wakefield. The petition of E. G. Wakefield was also read.

Earl Grosvenor said, he thought much credit was due to the noble and learned lord who had brought this question before their lordships, and he hoped they would do the promptest justice to the unfortunate girl who was the cause of the present proceeding. If it was their lordships' intention to act in the manner in which it was proposed for them to act, every moment was lost, if they did not at once proceed to act in that way. It was impossible for their lordships to conceive the distress and agony of mind of that unfortunate family, in whose favour it was proposed to legislate. With respect to the view he took of the question, he did think that, supposing no precedent could be found to bear upon the case, their lordships ought to go a little out of their way and adopt a
precedent, on a case which was so extraordinary. There was a precedent on their lordships' Journals, which, though it was not exactly in point, yet, with a little alteration, might be adopted in the present case. He alluded to the case of Miss Wharton, in the year 1691. That case, he considered, might, with a little allowance, be applied to the present one. There was certainly some difference between the two. Miss Wharton had been originally carried away by force; yet, by subsequent persuasion, the marriage had taken place with consent of the lady. In the present case, though there was no actual force employed, yet there was—that which was equivalent to actual force—moral force used, in the manner in which the young lady had been taken from the place where she had been placed for instruction, to the place where the ceremony of the marriage was gone through. He felt, however, somewhat relieved from the anxiety under which he laboured, by the remark made by a learned lord, whose opinion was entitled to considerable weight. That learned lord stated, that, in many instances, fraud was equivalent to force; and, if there ever could arise an occasion in which fraud ought to be considered equal to force, it was the occasion now before their lordships. In that case justice could only be real, in proportion as it was prompt. If the cause were to be tried in the Ecclesiastical court, there was no saying for how long a period it might continue in that court, before a decision would be pronounced. He understood, besides, that relief could not be administered in the Ecclesiastical court, because the person who alone could prove the facts of the case could not be brought forward as a witness. It had been suggested, that it would be better to legalize the admission of that particular evidence in the Ecclesiastical court, which at present could not be admitted, rather than meet the case promptly by an act of parliament. But, if such a course were to be adopted, it would be attended with great delay; and besides, the admissibility of the lady's evidence, in the present case, might be argued against, under the circumstances of the course which had been suggested. The law would be considered as an ex post facto law, and could not with propriety be applied to the present unfortunate case. Whether the marriage was a good one or not, he thought their lordships would feel themselves justified under the peculiar circumstances of the case, to pass a law, declaring that the marriage which had taken place between E. G. Wakefield and Ellen Turner, whether a valid marriage by the law of Scotland or not, should be considered null and void. The Earl of Lauderdale said, he could assure their lordships that no man had read with greater horror the proceedings of Wakefield than he had. There was no man who wished more sincerely than he did, that the young lady in the present case could be released from the engagement which she had entered into; but, as a member of their lordships' House, he had a duty to perform, superior to that which was dictated by his feelings. It was his duty to guard the law of the country, and to guard the proceedings of their lordships' House; and to prevent any precedent from being formed, which might, in his opinion, be prejudicial to the future welfare of the country. If, in the present case, it was proposed to form a precedent, there was a danger to be guarded against, of making the House pass a precedent upon subjects which went to the feelings of a man. On such subjects reason only was to be consulted. With respect to the question before the House, he begged to say, in the first place, that the case of "Campbell and Wharton" formed no precedent that could apply to the present. The peculiar circumstances of that case were, that the moment marriage had taken place, Mr. Campbell abscended, and therefore was out of the jurisdiction of the Ecclesiastical court, and it was impossible to render him amenable to any court in this country. This circumstance formed a most material distinction. He desired to know what was the jurisdiction of their lordships' House? In the high court of parliament, all injuries which the subject might sustain, and for which he could get no redress in the common courts of justice, would find their remedy; and therefore the high court of parliament was the last resource. There was no court which had the power of divorcing a matrimonio: the courts of Scotland possessed that power; but in this country there was no court which had such power, excepting the high court of parliament. Now, it was proposed to their lordships to take up the present case, because no court in this country had any jurisdiction upon it. But, what was the case? The petitioner stated,
that he was informed the Ecclesiastical court would not take the evidence of the parties. He was not sure that that was the fact; and he should like to hear the best legal authorities on the subject, before he made up his mind. In the first place, before their lordships proceeded in this view of the case; they ought to call for the assistance of those judicial authorities which, by the constitution, they were permitted to consult, to ascertain whether that which had been stated was the real state of the law; namely, not to take the evidence of the parties in the Ecclesiastical court. If this should prove to be a real evil, what was the direct remedy, but that their lordships should pass a law, giving a power, not only in this case, but generally, to the judge, at his discretion, not to examine the plaintiff, but to examine the parties in every case of such a nature as the present where fraud might be urged. He said, that this power should be left to the judge; for fraud might be urged for the purpose of obtaining the evidence of the parties, in cases where there was no actual appearance of fraud. The learned lord before him was aware, that in actions in the course of common law the parties could not be examined: even a trustee who had no personal interest could not be examined. But, in the court of Chancery, the parties to a cause could at all times be examined, and must be examined. If the lord Chancellor sends an order out of the court of Chancery, which was a frequent custom of that court, stating that he grants the power to any court of law to examine parties in the course of their proceedings, he administers the same remedy which was prayed for in the present case. But it was objected, that, after having this order, the cause might depend for four or five years in the Ecclesiastical court. If the form of process in that Ecclesiastical court was bad, it was for the noble lords to bring in a general bill to amend that form of process. But it might be said, that the present case was one of peculiar hardship, and that the sooner it was settled the better. That might be the case; but he was bound to think what would be the effect of the precedent that was proposed to be established. He had sat in that House for many years, and no man in it had attended more regularly than he had to the business connected with divorce cases; and he had not the least hesitation in saying, that he had often witnessed proceedings which struck him with disgust. When a case approached the time of decision, he had seen noble lords come down, and, without having heard the evidence, deciding causes, in opposition to the opinions of those who were entitled to the attention of the House. He was one who did not wish to see the jurisdiction of that House extended. The present case was, no doubt, one of gross fraud; but there were degrees of fraud. A case of minor fraud might hereafter come before their lordships, founded on the precedent of this case, and of which their lordships might be persuaded to take cognizance. Their lordships having thus furnished two precedents, a case of still minor fraud might come before the House; and their lordships would, step by step, be drawn into this situation—that whenever a man runs away with a young heiress, her parents or guardians might come to their lordships' House for relief. He did not think that their lordships intended to go so far as to legislate upon every matter of that nature; but such, he thought, was not an improbable result of forming a precedent as proposed. He had heard the petition of Mr. Turner read, and, from an extraordinary allegation which the petition contained, he should wish to have different authority than the simple statement of Mr. Turner respecting the forms of the Ecclesiastical courts. The statement he alluded to was the following—"that such marriage, as the one he prays the House to dissolve, could not, under the law of Scotland, be dissolved." There was a book with which every man who had attended to the law of Scotland, was acquainted. The book was edited by Hutcheson, and in it their lordships would find the following entry, in a case where a marriage was dissolved." The case was that of Allen, a schoolmaster, and Ann Young. It appeared, that the marriage ceremony had been regularly performed, and the girl was aged twelve years; that she was placed under Allen's care for the purpose of being taught; that undue influence, and a train of fraud and imposition had been used, to obtain her consent to the marriage; but that no consummation had taken place. This marriage was dissolved. The petitioner, however, stated, that such dissolution could not take place; and he himself had a little doubt on the subject of what the law in the Ecclesiastical
May 17, 1827.

Case of Miss Turner.

Courts were; but he thought it preferable, at all events, to the proposed mode of proceeding, to pass a law to enable the discretion of the judge, parties to be examined in all cases of fraud; by which means their lordships would keep that jurisdiction which they now had, and would not extend it; to do which, he thought, in his conscience and honour, would be dangerous.

Lord Redesdale thought, he had followed the best course in referring the petition to a committee of the whole House. The present case was certainly one of considerable doubt; and he thought that, in some way or other, relief ought to be given, provided the case could be proved in point of fact. Their lordships were all aware, that, if the cause was argued in the Ecclesiastical court, it might occupy a very considerable length of time. If he mentioned the space of three or four years, he was sure he was stating a duration much shorter than that which such a proceeding might occupy. Their lordships would recollect, that the young lady in the present case knew not whether she was married or not—that her father, her uncle, and, in fact, that all the world were ignorant whether she was married or not. The case of Miss Wharton had been cited. That lady, after her divorce, married a person of the name of Ireland. The principal offender made his escape to France; but one of the conspirators was executed. The act in that case passed in the year 1691, a period when there were in that House, persons every way competent to frame it with effect; persons who had been engaged in the Revolution. The bill came up to their lordships from the other House of parliament; but he thought it preferable that the present measure should originate here, where questions of law and equity were frequently tried, and where their lordships were accustomed to have the assistance of the judges. The proceeding suggested by the noble earl could not be adopted; for their lordships must perceive, that the present case was one which was not provided for by any existing law. In cases of disputed property, delay of judgment would not alter the situation of the parties; but here there was a doubt as to whether the parties were husband and wife. In the event of the death of either of them while the suit was pending, there would be no possibility of annulling the marriage; their respective rights must remain whole and entire. If Wakefield died first, the lady would be regarded as his widow, and, in that character, entitled to dower. If she died first, the alleged husband would be intitled to all his marital rights, so far as regarded her personal property, and the custody of her lands. Here, then, a man might, in this latter event, become possessed of considerable property, by means of fraud of which he had been found guilty in a court of law. He believed it was generally understood, that the lady could not be examined in the Ecclesiastical court, as to the circumstances relating to the marriage. In cases, however, of a criminal prosecution, such an examination was allowed in the temporal courts, and Miss Wharton, under such circumstances, appeared as a witness. It was suggested, that a bill should be introduced to legalise the evidence of the parties in all cases of fraud; but if that were done, there would still, in the present case, be a difficulty in obtaining relief, as the person against whom the proceedings were instituted would endeavour, by all the means in his power, to delay the final decision. Their lordships would have an opportunity of taking into their consideration all the particulars of the case while the bill was in progress; but if they should reject the prayer of the petition, the lady and her family—would be left in the most cruel state of suspense. There was no possible mode of extricating her, unless by a bill; and death might, by possibility, prevent that justice which their lordships would desire to see done. To what a deplorable state would this young lady be reduced, if she were allowed to remain the wife of a felon! Their lordships, in his opinion, were perfectly warranted, by the case of 1691, in allowing the bill to be brought in.

Lord Tenterden supported the prayer of the petition. He said, that the facts stated in the petition must be assumed to be true, and that the young lady had been taken away by means of fraud and forgery. The learned lord then recapitulated all the particulars of the case, and said, that the principal offender and his accomplices had been convicted of a conspiracy, originating in the basest motives of lucre, and conducted throughout by fraud and force. He thought the House bound to afford the relief prayed. The friends of the unfortunate girl had, by prosecuting the defendants, done all in their power, and now came to the House for that relief which the
peculiar nature of the case demanded. He considered the precedent of 1691 sufficient. There were certain circumstances in the present case which did not exist in that. In that instance, the husband had fled the country; but the fact of Campbell having so done did not form any material matter of consideration on the minds of those who passed that bill. If any other course were adopted, their lordships must recollect the great delay which must take place, and the anxiety and distress to which the parties must be subjected in the mean time. Public justice demanded that they should pass the bill. The punishment in this case had been too sparingly administered, considering the inflictions which the defendants had imposed on the unhappy young woman. He thought it was the duty of their lordships to take care to inform these persons, and not only them, but all others who possessed themselves of the persons of young women for the sake of base lucre, that conduct would be visited with the severest penalties—to tell them, by what their lordships would now do, that they not only exposed themselves to the punishment which the courts of law might inflict, but that there was a power in the country, which would deprive them of all possibility of reaping advantage from their crimes.

Leave was given to bring in the bill.

HOUSE OF COMMONS, Thursday, May 17.

Administration of the Cape of Good Hope.] Mr. Wilmot Horton rose to move for certain papers relative to the Administration of the Cape of Good Hope, and particularly for the correspondence which had passed on that subject between the Colonial Office and sir Rufane Donkin. He would have thought it unnecessary to have said much at present, since it would obviously be much better to postpone all discussion until the whole of the proper documents should be on the table of the House, had it not been for the publication of a pamphlet by sir R. Donkin, which had been widely and very industriously circulated. He would, however, abstain from entering at that time into any discussion of the merits of the administration of the Cape, as the proper opportunity would be afforded, when the motion relative to the mal-administration of the Cape, of which notice had been given for the 18th of June, should be brought forward. But it was on account of the circulation of the charges against lord C. Somerset, by sir R. Donkin, that he thought it highly expedient that the House and the public should immediately know the nature of those charges, and the situation in which they at present stand. Sir R. Donkin denied strongly that he was actuated by any acrimonious motives against lord C. Somerset, and asserted that he (Mr. W. Horton) was sorry in having said that he was so actuated; observing, that it was a new system of tactics, to charge those who complained of any malversation on the part of government officers, with personal hostility against the individual; whereas, sir R. Donkin, as he said, had always disclaimed all idea of personal animosity. With respect to that matter, he had only to repeat what he had said before, that it appeared to him, that sir R. Donkin had been actuated by acrimonious and personal motives against lord C. Somerset; and he was mistaken if sir R. Donkin would not find himself obliged to own it. But what had all this to do with charges against lord C. Somerset, or any other officer of government? The only question was, whether the charges were well or ill founded, without any reference to motives; but, if it should turn out that the accusations against lord C. Somerset were ill-founded, sir R. Donkin could not expect to escape from the consequences which might result from the preferring of such accusations. The House would please to observe, that on the 17th of June, 1823, sir R. Donkin had expressed himself to lord Bathurst to this effect, that he could make disclosures relative to the administration of lord C. Somerset at the Cape, that would shock the noble earl, and lead to the utter ruin of lord Charles. This communication, coming from such a quarter, could not be passed over without an investigation into the circumstances; and therefore, under the direction of lord Bathurst, he (Mr. Horton) had, on the 21st of June, written to sir R. Donkin, informing him that lord Bathurst called upon him to substantiate the charges which he had made against lord C. Somerset, on account of the mal-administration of the Cape; in order that the matter might be thoroughly investigated. In answer to this, sir R. Donkin had, on the 23rd of June, written to lord Bathurst to the effect—that until
he (Sir R. Donkin) was willing to make
disclosures to the government on the sub-
ject of the Administration of the Cape;
but, he did not wish to censure, or mean
to attack, an individual, with whom he had
little acquaintance. After the receipt of
this communication, he again wrote to
Sir R. Donkin, stating that Lord Bathurst
still thought that the charges must be
brought under investigation, and put to
the proof, unless Sir R. Donkin meant to
retract them. So that the government,
and especially Lord Bathurst, so far from
showing any disposition to stifle inquiry,
must earnestly called upon Sir R. Donkin
to proceed with his charges against Lord
C. Somerset. Sir R. Donkin again wrote
to the Colonial Office, stating in substance,
that he could not retract any allegations
which he had made, so far as the truth of
them was concerned, as that would be
unworthy of a gentleman, and of the situa-
tion, in which he was in his Majesty's
service; but that he had no objection to
say, that, upon further consideration, he
would retract the particular words in
which the charge had been advanced;
and Sir R. Donkin also added these words,
"I feel, on due reflection, that my coming
forward just now, in any official way, on
such a subject, would appear like an ill-
timed interposition on my part between
the commissioners now at the Cape of
Good Hope and the object of their in-
quiries; and I trust that this explanation
will be satisfactory to Lord Bathurst, and
will render unnecessary the urging of the
other part of the alternative to which your
letter points; namely, my preferring
charges, in consequence of the turn which
this matter had taken." The only course
of proceeding which appeared most pro-
per was, to send to the commissioners at
the Cape of Good Hope all the informa-
tion which they had been able to procure
from Sir R. Donkin, or any other quarter,
with instructions to investigate every thing
to the utmost of their power. To this
course Sir R. Donkin surely could not
object, after having made the proceedings
of the commissioners one of his reasons
for not interposing; and, considering the
conflicting charges brought forward, Sir
R. Donkin complaining that Lord C.
Somerset had upset his measures for the
same purpose. The Colonial Sec-
retary was of opinion, that this reference
of the whole matter to the commission-
ers was the most satisfactory course of pro-
ceeding which, under the present circum-
cstances, could be adopted. The commis-
sioners had, accordingly, investigated the
matter, and he had their Report now
ready to be presented to the House. It
would be recollected, that, in 1826, when
charges were brought forward against Lord
C. Somerset, it was the unanimous feeling
of the House, that Lord Charles should
not be allowed to remain at the Cape, but
should be brought home to face his ac-
cusers, when they chose to come forward;
and he had now come over. But the
Government, and Lord Bathurst particu-
larly, felt themselves bound, in common
justice, not to take any measures against
Lord C. Somerset, before the charges
against him had been thoroughly investi-
gated. Various charges had been made
against Lord C. Somerset, besides that of
Mr. Bishop Burstee; but nobody could be
found to bring them regularly forward;
and, under these circumstances, it was
fitting that the whole of the matter should
be laid before the House, in some shape
or other, that the question might be at
length finally settled at rest. With regard
to the notice of motion for the 18th of June,
he hoped the hon. member who had given
that notice would state its object, with
somewhat more precision than belonged
to the general term mal-administration.
He hoped the hon. member would take
care to bring the whole matter before the
House, and, in the meantime, state what
was the specific nature of the motion
which he intended to submit to the House.
Sir R. Donkin had said, that some ma-
terial papers had not been submitted to
the commissioners. This was a mistake;
for all the material papers had been sent
to the commissioners, both relative to the
defence of the country against the Caffras,
and every other matter about which the
government had obtained any information.
The Report of the commissioners would
be laid before the House, with the opinion
of major Holloway, about the defence of
the colony, which was a very material
document.—The hon. gentleman then
commented on the impropriety of publish-
ing official documents in this manner, in
which the parties accused had no opportu-
nity of reply. Among the charges
brought against Lord C. Somerset by Sir
R. Donkin, was one, that Mr. Parker had been sent back to this country, in order to crininate colonel Bird and himself, and that the Colonial Department had lent itself to that purpose. To refute this charge, the hon. gentleman read the letter of lord C. Somerset to lord Bathurst, accompanying Mr. Parker on his return. In this letter, Mr. Parker was described as an individual who, from his disposition and turn of mind, appeared to be of all others the least calculated to superintend the work of emigration. Lord C. Somerset further described Mr. Parker as a man sanguine in all his views, prone to blame public measures, and an enthusiast in the cause of Protestantism. The candor and fairness of sir R. Donkin might be judged of by the fact, that when he had been twelve or fourteen months at the Cape, he stated in a letter to lord Bathurst, that he had directed his efforts to follow up the plans of his noble predecessor, lord C. Somerset. What was to be thought of a public officer capable of acting in this way? Was it his duty, if he then believed lord C. Somerset's measures to have been wrong, to induce lord Bathurst to think they were the best he could have selected as a rule for his own guidance? Sir R. Donkin complained, that he had received no information respecting the plans he felt it his duty to adopt in the colony, and that in consequence of lord C. Somerset's personal conduct towards him, he was prevented from acting upon them. He complained also that lord C. Somerset would hold no communication with him. Now, this was not a true representation of the case. Lord C. Somerset had requested a visit from him; but sir R. Donkin replied, that personally he could have no intercourse with the noble lord. This was clearly a violation of his duty. As an official man, whatever his feelings might have been personally, he ought to have disregarded them on such an occasion as this. Yet his answer was distinctly, that he had no official communication to make. This note was dated 31st December, 1821. He had thus placed the colonial office in the unpleasant situation of being unable to do justice between the parties. The hon. gentleman said, that the papers he should present consisted of a variety of documents bearing on the general subject of the affairs of the Cape, and on the particular accusation which sir R. Donkin had thought fit to publish to the world against lord C. Somerset. Sir R. Donkin complained also that he had not been allowed an interview with lord Bathurst. The fact was, that he had not asked for one in such a manner as implied that he had any circumstances to discuss, connected with the Cape of Good Hope. But he had claimed from that noble lord some mark of royal favour, in reward for his services as head of the government of that colony. Now, his government had lasted only a year and a half; and, during that time, he was but locum tenens and not absolutely the governor. Any body who thought that a period of service which called for any mark of royal favour, held a most exaggerated opinion of the estimate usually formed of colonial labours. Sir R. Donkin had received the approbation of the Colonial-office; but it was another of his charges, that even this had been withheld from him. It was the constant practice, known to every clerk, that when any general officer, or other person, mislaid a letter of this kind, he was furnished with a private copy, which he substituted instead of the original until that could be obtained. The honourable gentleman declared of his own knowledge, that there never was an idea of withholding this letter which lord Bathurst had transmitted, as a meed due to the services of sir R. Donkin. There was, undoubtedly, no distinct proof that a private copy had been sent to him, but he (Mr. W. Horton) firmly believed such to be the fact. That charge, therefore, like the rest, was wholly without foundation. With regard to the general subject of the affairs of the Cape, he could assure the House, that the inquiry had been commenced in the spirit of improvement towards all the institutions in the colony. The commissioners had been sent out with that view; and, if their time had not been so much employed in investigating charges of a personal character, the delay that had taken place would have been avoided. The intention was, that the improvements should be extended to all the range of departments—judicial, financial, and administrative; and they would, by this time, but for the cause to which he had referred, have been more or less in operation. There was nothing connected with the welfare of the Cape which had not been delegated to these commissioners. As to the merits of lord C. Somerset's government, or the com-
comprehensive merits of that of sir R. Donkin
he would not say one word. The papers
he was about to present would give an
ample opportunity to the House to form a
correct judgment on that subject. This
step had become necessary, on account of
the increasing charges brought by sir R.
Donkin, who had published a second
edition of his pamphlet, with postscripts
and other additions, which had been
copied into the daily newspapers, accom-
panied by a multitude of comments. Sir R.
Donkin had first brought an accusa-
tion against lord C. Somerset; he had
then denied that he was an accuser; and
finally he had retracted the denial, and
revived his accusation. Among these
papers would be found the
statement. These
hon. gentleman concluded
by moving, that the papers be brought up.

Mr. Maberly said, he should not exer-
cise the duty of a friend to justice, if, in
seconding this motion, he did not put the
House in possession of some facts, which
they could not gather from the statement
of the hon. gentleman. His gallant friend,
sir R. Donkin, had brought no accusation
against lord C. Somerset. He had been
again and again invited to become a public
accuser, and again and again he had re-
fused. In the pamphlet he had published,
he had not acted the part of an accuser;
but he had been obliged to defend himself
from a variety of reports in circulation re-
specting his own conduct; and his defence
was taken to be an accusation of the noble
lord. He could state positively, that his
gallant friend never intended to be an
accuser, nor had offered himself to lord
Bathurst in that capacity. It was true, he
had offered to communicate with lord
Bathurst, but not to lay accusations against
any one. In his pamphlet, sir R. Donkin
had stated his views as distinctly as pos-
sible. The hon. gentleman read some ex-
tracts in support of this statement. These
passages, he contended, were at variance
with the idea of his gallant friend becom-
ing an accuser. His own character had
suffered, and he felt bound to offer some
explanation. In the beginning of the
pamphlet, he stated, that he should not
have adopted that course, if he could have
obtained an interview with lord Bathurst.

In what he should further say in defence
of his gallant friend, he should refer only
to public documents. As evidence of the
public merits of sir R. Donkin, he would
read the letter of approbation written to
him by lord Bathurst; the address of the
chief justice, and other members of the
judicial body, on his resigning his govern-
ment; and some addresses, on the same
occasion, from the merchants and principal
inhabitants of the colony. He eulogized
the measures of sir R. Donkin's govern-
ment. It had produced security, and was
administered with economy. The moment
he had resigned it, insecurity, murder,
plunder, dissatisfaction, and, in fact, utter
ruin ensued.

Lord Edward Somerset was not disposed
to detain the House upon the present occa-
sion, but he could not avoid expressing
the satisfaction he felt in seeing the hon.
Secretary lay those papers on the table of
the House, which would at last enable it
to go into a full and fair investigation of
all the charges which had been put forth
against his noble relative; and, at the
same time, tend to place the character of
lord C. Somerset in that honourable light
before the public, to which he was satisfied
it was entitled. The House would now,
perhaps, be able to judge, as well from the
observations of his hon. friend, as from the
letters and extracts to be laid on the table,
in what kind of a spirit, the accusations
against his noble relation had been pre-
erred. They would be able to judge,
whether the spirit of the one had been
rancorous, or whether the other had ful-
filled his duty as a public accuser. The
House would now be able to pronounce
an impartial judgment upon the conduct
of lord Bathurst and his noble relation.
There were but two courses which lord
Bathurst could pursue, under the circum-
stances. One was, to believe all the
charges to be true, to the prejudice of lord
C. Somerset; the other, to disbelieve them,
and to call upon the accuser to substan-
tiate them, if it was in his power. Lord
Bathurst had called upon sir R. Donkin
to maintain his charges, and he had aban-
doned them. He would not trouble the
House with any further observations upon
the inferences to be drawn from this con-
duct. The proper time for remark must
be when the House came to consider the
nature of the charges; and he would,
therefore, beseech the House not to allow
itself to be influenced by those reports which had been, for years, circulated from all quarters, and reiterated in the public prints. When they had the whole of the papers containing these charges before them, he was satisfied they would see reason to exonerate lord Charles from the accusations which had been preferred against him.

Mr. Freemanline expressed his regret that the charges against the noble lord had been allowed to remain so long hanging over his head. When the subject was last before the House, he was both surprised and pained at hearing the then Secretary of State for Foreign Affairs state to the House, that his majesty's government had sent out a commission to that noble lord to return home. What could the House or the country conclude from such a statement, but that there was a very strong case in the opinion of the government, made out against him? It was a thing very much to be regretted, that his hon. friend had not, two years ago, laid these documents upon the table of the House; for if the case against the noble lord was so groundless that the facts of every petition to that House had, upon inquiry before the commissioners, been fully disproved, he thought the noble lord had been very ill used.

Mr. Hume said, the question was not at present, whether they were to go into the inquiry upon the conduct of lord C. Somerset, but whether certain papers should be laid on the table of the House. When the question of lord Charles's conduct came to be discussed, he doubted not that there were many gentlemen ready to give their opinions, and state the grounds of those opinions. A great deal had been said of the conduct of general Donkin; and he now hoped, that as the hon. gentleman had at last laid the correspondence on the table, he would consent to produce all the papers which might be wanting for a thorough examination of every thing connected with the question. He did not, he hoped, misunderstand the hon. member, who asserted that every petition which had been laid on the table of that House, implicating the conduct of lord Charles, had been regularly sent out to the commissioners at the Cape, and made the subject of inquiry. Now, if that was really the case, it was not a little extraordinary that the House had never been put in possession of the result. The hon. member then defended the conduct of sir R. Donkin, and declared his opinion that he had acted rightly in leaving the matter to the commissioners. If the hon. Secretary had read that letter in which sir Rufane declared he had charges which, if preferred against lord Charles, would cover him with infamy and ruin, he would find, that when he was asked to become the accuser on those charges, he at once said he could not retract what he had said; but he would rather wait and hear the result of the inquiry before the commissioners, than at once come forward in that capacity. That was in 1823; and it was no wonder, therefore, that the gallant officer expressed his surprise at the delay which had taken place.

Mr. Brougham said, he could not avoid making one or two observations upon some expressions which had fallen from hon. gentlemen, with respect to the course he had pursued. It had been said, that he had brought a charge against lord Charles Somerset, and that it had failed. Now, the fact was, that he presented a petition; and he thought it due to the noble lord, who had on that occasion, as well as on every other, when the case had been mentioned, defended his noble relation with the greatest regard to honour and propriety, as well as with the greatest spirit; and it was but fair also to himself, to declare, that he had never taken any step upon the case, except in presenting that petition. He had then stated most distinctly, that he desired not to be under the slightest responsibility for the veracity of any thing contained in that petition—a fact of which he was the more certain, as he had, in addition to his own distinct recollection of the circumstances, even looked into the debates of the period, which he found to be, as they almost always were, exceedingly correct. He had then, he repeated, most distinctly guarded himself, in opening the charges of Mr. Bishop Burnett against lord C., from being considered answerable for one tittle of the allegations; but he had, at the same time, felt himself bound to say, that he had seen the accuser, and examined him upon the facts—that he had, upon the strictest cross-examination he had been able to give him, adhesion to those facts—that he had been consistent in his statements, and clear in his answers; and he had concluded by observing, without saying any thing further, that all these circumstances were
charges had been, then dealt with. The himself, proved if they have been redirected principled. It had been his determination, then, to have the whole matter investigated, because he thought it due to himself, as well as to others; but, within four or five days after that debate, he was called upon to appear before the privy council in his professional character, upon a case which very much surprised him. He had the brief, he believed, for ten days before, and previous to the evening of the debate; but every one knew well, that it was not the practice of lawyers to look much into their briefs before the time they were called upon to argue them, and in the pressure of business, he had not opened it until the time he mentioned. He was therefore not a little surprised to find, that he was a counsel in the very cause which was founded upon that grave charge against lord C. Somerset. It was an appeal cause from the Cape of Good Hope against a decision pronounced by lord Charles, sitting, by one of the ridiculous regulations which prevailed in the colonies and most of our foreign possessions, as a judge or chancellor—a regulation, by-the bye, just as absurd as if the duke of Wellington were to be made lord chancellor. The appeal was against the decision of lord Charles as a judge, and he was counsel for the respondent. The appellant objected to the decision, among other things, upon the very ground stated by Bishop Burnett in his charges—that of corruption; and it was the part of the respondent to repel by every means in his power the charge of that corruption. Now, he would put it to any hon. member to say, whether, while he was arguing in one place that there was no corruption in the case, and that lord Charles was innocent, he could appear in another place, for the purpose of attempting to support charges proving him not innocent? He thought he was bound to keep separate the duties of the judge and the advocate, and he had therefore thought it right to cease from any further prosecution of those charges, while he remained in that condition. He now, however, agreed most fully with the noble lord, that the time was come, when they ought to determine whether lord Charles was guilty or innocent; so that the House might be at once able to determine whether he was to be confirmed in, or dismissed from, the government in which he was placed.
The motion for the several papers was agreed to.

**Spring-Guns Bill.** The Order of the day for taking into consideration the Lords' Amendments to the Spring-Guns' Bill having been read,

Mr. Charles Calvert observed, that, by the amendments which had been introduced into the bill in the House of Lords, it was rendered general; and Spring-guns were prohibited from being set for the protection of any property, except in houses. In houses they might be set both day and night; which latter permission seemed to him to be an extraordinary one, and calculated to produce accident. Some time ago, at the request of a number of market-gardeners in the neighbourhood of London, he had presented a petition on the subject in their behalf; and, at their further request, he was now prepared to move an amendment to the amendments introduced into the bill by the Lords. It was well known that there were large gardens in the neighbourhood of the metropolis, which, although walled, were accessible; and, to deter from the robbery of which by boys and others, the appearance of spring-guns was the surest means. The market-gardeners declared, that, unless they were allowed to set spring-guns and man-traps, they could not adequately protect their property. He meant, therefore, to move an amendment to that amendment of the Lords—that nothing in the act should be construed to render illegal the setting of spring-guns or man-traps in houses—the addition of the words, "or in any garden, hot-house, or conservatory, enclosed by a wall seven feet high; due notice being conspicuously given of their being so set."

Mr. W. Banks said, that this bill had come back from the Lords, different not only in its details, but in principle. He was one of those who agreed that such deadly engines as spring-guns were hardly justifiable for the purpose of game, but he was far from thinking that it was justifiable to carry the principle of their abolition so far as to withdraw them from other and more valuable property. Their very existence inspired a salutary terror in trespassers, and he trembled at the consequences of its being known that they were withdrawn altogether. For these reasons, he should dissent from these amendments.

Mr. Peel admitted that game, as a source of amusement, was a species of property which ought to be protected, but he was far from thinking that it was justifiable to use means for that protection destructive of human life. Upon that principle, therefore, he had supported the present bill in its progress through the House, and more particularly because it took away that wide arena which existed of woods and plantations, in which such engines were before permitted. But there appeared to be a broad distinction between the use of spring-guns in unclosed and extensive grounds, where their deadly effects might be visited upon inadvertent trespassers, and such places as market-gardens, by the security of which from robbers a large class of men obtained their subsistence. When a man inclosed his ground by a wall seven feet high, and thus took the best precaution in his power to exclude trespassers, his case was most undoubtedly different from those, where there was nothing to protect but a pheasant, and no safeguard but a fence. He therefore dissented from the Lords' amendment in this respect. And really the House should know that there was no class of men which required protection more than these market-gardeners, for in no place was the police more lax than in the immediate neighbourhood of large towns. Within the towns themselves the police was generally well-regulated; but this strictness drove the vagabonds out a few miles upon the roads, about the places where the market-gardens were situated. He had, early in the session, without reference to this question, moved for a committee to inquire into the state of the police near the metropolis; for he had reason to know, that the consequence of having horse and foot patrols in London was, that the bad characters were banished four or five miles out upon the roads. In order, therefore, to an effectual suppression of crime, it would be necessary to place that particular branch of the police upon a more efficient footing. In many places it was most mischievously ineffective. Throughout the whole of that extensive district comprehending Twickenham and Richmond, the peace of the county almost depended upon the individual activity of colonel Clitheroe. Many of the market-gardens were situated in that district; and, until a better police was set on foot, he thought it not unreasonable that the market-gardens should be protected by spring-guns. At the same time, he
thought it would be better if the market-gardeners were called upon to provide for the protection of their grounds by taking into pay a sufficient number of ordinary constables, who, if they did their duty, would be sufficient for all purposes. He had not the smallest doubt but that if an investigation took place into the causes of the increase of crime, it would turn out to be closely connected with depredations upon such property. Whilst the amount of great crimes was diminished, the sum of offences against property had greatly increased. This he ascribed to the defective state of the police in the neighbourhood of the metropolis. Until something else was done, he could not dispense with this species of protection to the market-gardeners.

Mr. C. N. Palmer agreed, that, until some other protection was afforded the market-gardeners by a more efficient police, they ought to be allowed to protect their grounds by spring-guns. The subject seemed to have been viewed in rather a curious light in another place, for the only instance in which they permitted the setting of spring-guns was that in which a man was most unlikely to use them; namely, in his dwelling-house. The market-gardens were a species of property especially subject to depredation, from being so near town, and they were therefore entitled to special protection.

Lord Althorp said, he had supported the bill originally, upon the ground, not that spring-guns were unjustifiable for the protection of game only, but because he would not permit such deadly weapons to be used in any case in which a man would not be warranted in firing a gun from his hand. He did not understand that a market-gardener would be justified in firing upon a trespasser with a gun; and therefore he would not allow the use of spring-guns in such cases.

Mr. Tennison denied the validity of the arguments which had been urged by the hon. member for Corfe castle. The principle of the bill had undergone great extension in the House of Lords; and, in his opinion, the improvement was commensurate with the extension. If the House adopted the amendment proposed by the hon. member for Southwark, they would make a material change in the criminal jurisdiction of the country. It ought also to be recollected, that the same amendment had been ineffectually proposed in another place.

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Mr. Monck opposed the amendment.

Lord Milton observed, that the real question for the House to consider was, whether, by disagreeing to the Lords' amendments, they would postpone for a year the advantages to be derived from the bill; or, by agreeing to those amendments, would merely subject the market-gardeners to a temporary inconvenience, which might be remedied next session.

Mr. Frankland Lewis remonstrated against any allusion to the opinions of the other House. Those opinions ought never to influence the decisions of the House of Commons. By its merits, and by its merits alone, ought the bill under consideration to be tried. It ought to be recollected, that the market-gardeners were the property of a very large and industrious class of individuals, who ought to be encouraged to supply the London market as cheaply as possible. It was impossible that they could fence round their extensive grounds so securely as to prevent persons who were determined to get over the fence from doing so; although the fence were such that no person could violate it by accident. That was the distinction between gardens and woods. No case had been made out of any individual having suffered from spring-guns set in these gardens. The only objection to them therefore was theoretical. It would be most unjust to deprive the persons in question of protection, and to put their property in jeopardy without any grievance having been shown to exist. On all these grounds he supported the amendment.

Dr. Lushington observed, that there was much good sense in taking all the benefits that could be obtained from any measure, when all that it was desirable to obtain could not be secured. He who adhered rigidly to what was called principles, frequently lost opportunities of accomplishing much practical good. He was disposed to assent to the amendments which had been made by the Lords; first, because they were in conformity to the general principles of our law; and, secondly, because they were in conformity to the view which, in his opinion, the legislature should take of the manner in which property ought to be protected. He said "ought," because he believed the security of property in this country by severe enactments was carried much further than it ought to be carried. Although the acquisition and the just security of property were advantageous to 20
the community as well as to the possessor, there were limits beyond which neither the acquisition nor the possession ought to be protected. Property was only one means of happiness; the happiness of all was the end of the security of property. They who maintained the justice of setting spring-guns in woods for the protection of game, might as well say that it would be justifiable at any hour of the night to fire guns through the wood, in the hope that if any poachers were there they would be killed. Such an act, however, would be murder. An hon. friend of his, lately a member of the House, had the misfortune, during his absence from home, to have a spring-gun set in his garden. He had the still greater misfortune of having a man killed by that spring-gun. He (Dr. L.) had been an eye-witness of the misery in which this accident had involved his excellent friend. The loss of his garden, or of his whole property, would not have inflicted upon him half the pain that he endured for weeks and months; and yet he was not to blame, for he had given strict orders to his gardener to load the spring-gun only with powder—an order which was, unhappily, disobeyed. This example was sufficient to show, that, if the setting of spring-guns were allowed at all, it would frequently happen that the indiscretion of inferior persons, who were reckless or thoughtless of consequences, would be the cause of the loss of human life. With respect to gardens, was there the necessity for this kind of protection? Large gardens were watched. He spoke of his own knowledge, of such large gardens as those at the bottom of Highgate-hill. Those gardens had persons to guard them at night. It would be otherwise impossible to prevent the intrusion of stragglers. If persons would have valuable property in open fields, easy of access, it was their duty to guard it against depredation; and if they did not do so, they must bear the loss. It was on this principle that some of the wisest and best men in this country had repudiated the practice of tradesmen who left their goods exposed at their shop-doors. The expense of guarding their gardens was nothing as compared with the profit derived from them. Had any hon. gentleman an idea of the advance in the retail price of garden-stuff sold in the market? It was a thousand-fold. The small increase of expense, therefore, which the employment of watchmen would occasion, would be comparatively trifling. Justice and humanity called for the total abolition of the practice of setting spring-guns. The House ought to consider, that on this subject they were legislating with respect to a description of offence which no member of it was likely to commit. There was, therefore, no community of feeling between the legislature and the criminal; and that consideration ought to induce them to pass the bill in its present state, by acclamation.

Sir C. Wetherell opposed the lords' amendments, and fully concurred in all the views of his right hon. friend. He contended, that, according to the law of England, protection to property from injury was justifiable.

Lord Sandon asked, if it was justifiable by the common law, for a person to do that by agency which he would not do by himself. If a person could not shoot a man climbing a wall, could he do so by a spring-gun, or any other engine? He contended, he could not. Such doctrine was alike repugnant to the common law and natural law, which was anterior to it.

The amendment was agreed to.

Mr. C. Calvert moved, respecting the setting of Spring-guns in the next clause, that after "continued," there be added, "from sun-set to sun-rise."—Agreed to.

Mr. W. Bankes moved the next amendment, on the lords' amendment, which rendered the bill general in its operation, with the exception of dwelling-houses; he proposed, with the intention of bringing the bill back to its general form, that instead of dwelling-house, there be inserted, "unless in woods, under-woods, green-houses," &c.

Mr. S. Rice urged the inexpediency of altering the lords' amendments, which were, perhaps, made in the very expectation of their being rejected here. He hoped the House would not be seduced to lose the bill altogether, by now negating some objectionable clauses, but would carry the bill in its present shape, and trust to chance for future improvements.

Lord Milton concurred in these suggestions. They had no right to look on the amendments made in the bill in the Lords, in any other light than as the amendments of the Lords generally; although, out of that House, if he were asked the question, he could point out the author of those amendments. Let the House take the bill as they found it.
and not take on themselves the odium of throwing it out altogether, which would in all probability be the result of pressing these amendments. The House then divided: For the amendment 244; Against it 40; Majority for the bill as it was 202.

Mr. C. Calvert submitted an amendment for permission of spring-guns to the owners of gardens, hot-houses, or conservatories, surrounded by a wall seven feet high, by setting a conspicuous notice on the wall.

Lord Milton said, that persons who could keep such places, could also keep a watchman to protect them.

Mr. C. Calvert said, that it was not so; as many of the persons for whose benefit this clause was proposed were market-gardeners, who cultivated the gardens and conservatories attached to large houses which had been disestablished. The House divided: For the Amendment 23; Against it 40; Majority against it 17.

The other lords' amendments, with amendments, were agreed to, and ordered to be sent back to the Lords.

HOUSE OF LORDS.

Friday, May 18.

[PORTUGAL.] Lord Ellenborough said, he was anxious to draw the attention of their lordships to a subject of extreme importance, unconnected with those discussions which had of late occupied the time of the House. The subject which he was at present desirous to bring under the notice of their lordships, was the state of the British troops in Portugal. The answer given some time ago by the noble lord, who was Secretary for Foreign Affairs, to a question which he had asked, had placed him and their lordships in a situation of great difficulty. As his noble friend bad stated, that the production of the information for which he had asked would interfere with negotiations which were pending, he should feel great difficulty in moving for information respecting the state of Portugal. He had, however, a clear parliamentary ground for calling for that information; and, by not calling for it at the present moment, he did not express any approbation of those negotiations, which were now pending, because he was kept in total ignorance of the state of Portugal. If he understood the nature of those negotiations, they were most important; and, in the present state of things, the most important event that could take place would be the instant withdrawal of our troops from Lisbon. The cause fuderis under which the British troops were sent to Portugal, it was said, existed no longer; but they were retained in that country for purposes other than those for which they had been sent there. If that were the case, his majesty's ministers were placing themselves under the most awful responsibility. In the present state of Portugal, it was barely possible that British troops should garrison Lisbon without being obliged to take part in domestic contests; and the first shot fired by a British soldier commences the war of opinions. It was reported, that the British troops remained in Portugal for a purpose different from that for which they had been sent to that country. It was said, that they remained in that country for the purpose of maintaining the government. If our troops should be obliged to take part in civil dimensions, Spain would have a just ground of war; France would have a just ground of war; and there was no power in Europe who would not take advantage of these circumstances under which the government had placed themselves, and which must plunge this country and Europe into a state of general war. It was impossible for a keen apprehension not to take this view of the question; and, in abstaining at present from pressing for the production of papers, he expressed a hope, that at no distant period that information which he desired would be given to the House. If, however, his majesty's ministers should not feel it to be their duty to lay any paper upon the subject on their lordships' table before the House separated, he should think it to be his duty before that time arrived, under the present state of things, to press for the information he wanted.

Lord Dudley and Ward said, that the reason for which he had on a former occasion, declined answering a question similar to the present, which the noble lord had asked, still existed. Undoubtedly his majesty's ministers were acting, on the present important question, upon their own responsibility. They were performing as an act, which, in their judgement, was the best they could perform; and when the time for disclosure arrived, they would then see whether that judgment would be confirmed by parliament. In the meantime he would neither confirm nor contra-
dict any of those conjectures in which the noble lord seemed inclined to indulge. All he could do was, to entreat the noble lord not to indulge further in those conjectures, but to wait till the question was fully and fairly before the House.

HOUSE OF COMMONS.

Friday, May 18.

Penryn Election Bill.] Mr. Legh-Keck moved the second reading of the Penryn Election bill.

Mr. Barclay said, he owed it to his constituents, though he did not oppose the second reading of the bill, to declare that it had been urged on very hastily. He hoped that the House would consider that they were now dealing with the interests of five hundred persons.

Lord Althorp said, that he had been requested to state, on behalf of Mr. Grenfell, that he had not, as it had been asserted in the House, withdrawn from the election because of his having lost his interest with the electors; but because he felt certain that he could not be returned without resorting to corrupt practices. With the leave of the House, he would read the letter:

"My dear Lord:—On perusing the report of what passed in the House of Commons on Tuesday last, when the evidence from the Penryn committee was under the consideration of the House, Mr. Barclay is represented (how correctly I know not) to have stated, that 'I had withdrawn as a candidate from Penryn, not in consequence of any opinions entertained by me injurious to the character of the borough, but because I had lost the confidence of the electors;' and, as it might be inferred from this supposed assertion of Mr. Barclay, if not contradicted by me, that I had done something to justify the electors in withdrawing their confidence from me, I should be much obliged if you could avail yourself of some opportunity of stating, on my behalf, that, although I am satisfied that this assertion by Mr. Barclay can only have been the result of erroneous information, conveyed to him by others, I must, in justice to myself, declare, that nothing can be more incorrect than the assertion itself: for the truth is, that I withdrew from Penryn, not because I had any reason to believe that I had lost the confidence of the electors, but because I felt that the electors had forfeited the confidence I had placed in them. I had confided in the sincerity of the assurances which they made to me, both before and after my election in 1820, that they would continue to support me upon the principles which I most distinctly told them were the only principles upon which I would accept their suffrages. I had adhered strictly, on my part, to those principles. I had never deceived them, but I had reason for believing that the electors were preparing to break their compact with me. As soon, therefore, as I had satisfied myself, by representations made to me from various quarters, that I had no chance of being elected a second time, without a recurrence to those illegal practices which had formerly prevailed in the borough, I determined at once to withdraw from it.

"It has, indeed, been stated, that the two gentlemen who now represent Penryn were elected without any participation, either directly or indirectly, in those acts of bribery and treating which, in the report now before the House, are proved to have been practised at the election in June last; but, whatever means they may have possessed for thus recommending themselves to the pure and unbiased choice of the electors, I am satisfied that no such means were within my reach, and that I had no chance of success at Penryn without lending myself to those acts of corruption which are now proved to have occurred at the last election, although without the knowledge or participation of the two hon. members who at present represent this borough.

"I cannot conclude without conceming in the opinion which has been expressed by others as to the respectability of many individuals who are electors of Penryn, and who are not only incapable of being parties to, but who reprobate, in the strongest manner, the corrupt practices referred to. I have the honour to be, my dear lord, very faithfully your's,

"Pascoe Grenfell.

"Charles-street, St. James's, Friday, May 11."

Mr. Ferguson said, it was absolutely necessary for parliament to interfere in defence of the purity of election, against the practices that had prevailed in this borough. On the report that had been presented with respect to the late election, he should have had very considerable difficulty in making up his mind as to the
course to be followed; but, when he
perused the reports of the two several
committees in 1807 and 1819, both dis-
claiming, in the evidence on which they
were founded, the grossest and most
shameful cases of bribery and corruption
that had ever come before parliament, he
had no doubt whatever as to the duty he
ought to perform. In 1807, it appeared,
by the report of the committee, that a
positive agreement had been regularly
made between sir Christopher Hawkins,
who was supposed to be the patron of the
borough, and a committee of the bur-
gesses, by which it was settled, that each
elector should receive twenty-four guineas
for his vote. There was every reason to
believe that the money had been paid in
pursuance of this agreement. The report
also stated, that proof had been given of
various other acts of bribery. The result
was, that sir C. Hawkins was, by the re-
turning officer, declared duly elected. On
a petition against his return, a committee
of the House resolved, that sir Christopher
had been guilty of bribery and corruption.
He was, of course, unseated by the report,
and a prosecution followed in the court of
King’s-bench. What were the facts in
1819, with regard to Mr. Swan and another
gentleman, who was then a candidate for
this borough? It was stated in the re-
port on that election, that that gentleman
(whom he would not name), in the public
and open day, went from house to house,
and paid 5l. to each elector for his vote.
Yet that gentleman was, by the returning
officer, declared duly elected. A petition
was afterwards presented against his re-
turn, and he was unseated, as being guilty
of bribery and corruption. There could
be no doubt, therefore, as to the necessity
of visiting Penryn with a punishment
suitable to its offence. Parliament would
not disfranchise every borough where
bribery might take place; but when it was
proved, by successive inquiries, that the
great mass of the electors were contami-
nated with the corruption by which the
members were returned, it was the bounden
duty of the House to vindicate its privi-
leges, and maintain the purity of election.
He was now prepared, on the evidence
reported by the last committee, and con-
formed by the two former committees, to
vote for depriving Penryn of the right of
election which it had hitherto exercised.
If he had had only the last report before
him, he might have found considerable
difficulty in this case; as the committee,
though they had found that gross bribery
and treating had taken place, had never-
theless declared, that one of the sitting
members was duly elected, and that no
case of corruption had been brought home
to them. They declared there had been
gross cases of bribery, but that Mr. Man-
ning had not been concerned in them.—
For the discussion of this bill, it mattered
not how the case stood with reference to
that hon. gentleman. There were certainly
many difficulties in considering the report;
because, if the agency of Sewell and Stan-
bury was proved, it followed irresistibly,
that that agency was brought home, if
not to the sitting members, at least to
their immediate friends and agents. The
bribery was of the grossest kind. Sove-
reigns were given, under pretence of giving
dinner tickets, and the electors who had
taken both the dinner and the sovereign
were allowed to vote for the hon. gentle-
man who had been petitioned against.
There was sufficient ground in this report,
and the previous ones of 1807 and 1819,
for the House to proceed against this bo-
rough. The bill contained a provision,
opening the right of election to the adja-
cent hundreds. That was a remedy which
he thought highly objectionable. The
neighbourhood of such a borough as Pen-
ryn was the last place to which he would
transfer the franchise. He would infinitely
prefer to adopt the opinion expressed by
some hon. members, that the right of re-
turning a member to parliament should
be transferred to some great manufactur-
ing and commercial town. He entirely
agreed, that no place required the benefit
of representation in that House so much,
considering its extensive trade and im-
mense population, as Manchester.

Mr. H. Gurney remarked, that the
statement of Mr. Grenfell might be recon-
ciled with that of the hon. gentleman (Mr.
D. Barclay), by supposing that he had lost
the confidence of the small minority whom
it was not necessary to corrupt.

Lord Althorp said, that the only an-
swer to that explanation was, that Mr.
Grenfell stated positively, that that was not
the case. Mr. Grenfell denied that he
had lost the confidence of the respectable
part of the inhabitants.

Sir C. Hawkins addressed the House,
but was totally inaudible in the gallery.

Sir C. Barrrell understood that his
name had been used by the hon. baronet.
If he did not reply to the obloquy, he trusted his conduct would not be impugned to disrespect; as he really had not been able to catch one word of the hon. baronet's speech. As to the general question, he advised the House not to discuss what should be done with the franchise of Penryn, until they had decided whether any thing at all should be done with it. There could be no doubt that Penryn was, to a certain degree, impure. In 1819, a bill had been actually carried up to the lords to disfranchise that borough. That fact ought not to be wholly out of their sight during the present discussion. If, in addition to the many acts of bribery then proved against Penryn, it appeared that worse again had since prevailed there, the House could come to the conclusion, that such a borough was unfit to send representatives to parliament.

Sir E. CAddrington admitted, there could be no doubt that bribery had been proved; but it was by no means clear, therefore, that the utmost rate of parliament was to be applied, and the borough disfranchised. Were the wrong doings of the guilty only to be borne in mind, in order that the unoffending might be deprived of the rights and privileges which they had never abused? They had done their duty faithfully, yet they were to be punished. He utterly disapproved of the proposition to extend the right of voting to the hundreds. He objected to that course on principle, in all cases. It was making a sort of petty county election; and therefore it should be viewed as a dangerous innovation on the ancient system of representation. He knew how this kind of remedy had operated practically, being a near resident to Aylesbury. Certainly, at Shoreham, the change had turned out to be no great improvement. He would not come into the discussion of the propriety of transferring the representation to Manchester. It would, he thought, be more discreet not to mention the name of any place, until the question as to the disfranchisement of Penryn was decided.

The bill was read a second time. On the question that it be committed,

Mr. D. Burrell again addressed the House. We understood him to say, that notwithstanding the prejudices which prevailed against the borough of Penryn, he was convinced that its character had been undergoing a gradual change for the better since the year 1807.

The House went into a committee on the bill, and witnesses were ordered to be called to the bar.

John Stanbury was then brought in under the custody of the governor of Newgate, and examined by Mr. Legh-Kear, to the following effect.—He said his name was John Stanbury, and that he received a summons to attend upon the committee appointed to consider the Penryn election petition, but that he did not so attend. He was a resident of Penryn at the time of the last election. He acknowledged that he had taken an active part in the election before the last, when Mr. Wesseling was a candidate; and that he had received three several sums of 1000l,—2600l. and 600l., to assist the electors. At the last election he had two rooms in the House of John Penley. He never received more than 20l. to treat the electors; and he certainly did not receive 275l. He did not recollect any such circumstances as his telling a person named Sewell to support Manning, because lord Percival's party were so poor they could not pay any money; was quite sure that he did not receive gold and notes at his room, from Sewell, in order to treat the electors, and did not join Mr. Manning's party. He received no money, except for the payment of debts incurred for treating the electors. He was quite sure there were no debts except for treating the electors. He knew Thomas Pitts, and lent him ten pounds; was certain the money was only lent. He never said to Pitts or to any other person, that he had received 1800l. for the exertion of his interest in the borough of Penryn. He knew John Carran, but never gave him any money. He knew John Joyce, and gave him two pounds ten shillings, which he owed him. He paid Thomas Jones nineteen pounds during the time of the election for his services during two years. Thomas Jones was in his employment as a manager in electioneering concerns; but in no other that he knew of. He confessed that his clerk kept a list of the names of the voters, with the amount paid to each put down at the end of the name. Those sums, however, were all paid in a legal way. He admitted that he was to get money, but it was not to pay any voters; it was for his services; he did not recollect having said that he had been deceived; that he was very angry, and that unless he was paid, he would expose the whole transaction.
then; he had not had any communication with Mr. Sewell since the election; he denied having said to Mr. Huddy, that if his petition were proceeded in, the borough of Penryn must be disfranchised; he had never paid any money to voters in Penryn for the purpose of obtaining their support.

The witnesses were then examined by Mr. Brougham. His answers were to the following effect:—

He was born at Penryn; had no property, and had followed no trade there; he had intended to open a grocer's shop, but never did so; he had been engaged as a borough agent; at Barnstaple, Tregony, Penryn, Exeter, Lincoln, and at St. Albans. At Exeter he had introduced Mr. Dyson as a general candidate, but had received no money or promise of money from him; Mr. Dyson had declined the contest; he had never been engaged in any election before the last, except at Barnstaple. Although he was not born at Barnstaple, nor had lived there, he had been requested by the principal men to introduce a candidate. He had formerly been a clerk in the East-India House. He was so far eight years. He ceased to be so in 1806. He had resigned. Before he was a clerk, he had been a labourer in the East-India House. He had been a labourer from the age of 17. He had served his apprenticeship to a cobbler at Barnstaple. He was engaged in the Barnstaple election in 1802, and again in 1806. After he had resigned his situation as a clerk in the East-India House, he was a clerk in the War-office for four years. That employment ceased in 1812. He had since been a yeoman—a farmer. He had three labourers. He farmed his own property—a farm of forty-two acres. It was near Plymouth. He had also a cottage at Tregony. He had for two years rented a house at Penryn at 15l. a-year, besides the taxes. From 1812 to the present year he had never done any thing except cultivating the forty-two acres he had mentioned. He had built houses at Tregony, but had not yet received any rent for them. He had laid out about 3,000l. at Tregony. He was not obliged to tell how he got this money. The rent of land in his neighbourhood was five pounds an acre. But he did not think he could let his forty-two acres for 200l. He did not think he could let them for 100l. He had not bought the land. He had not, just before, said that it was his own property. He was living in Newgate, at present, under an order for contempt. If he had said that the land which he cultivated was his own property, he had told an untruth. He denied that he had said that it was his own property. He now said, that it was not his own. It belonged to square Guinea. He paid 38l. a-year for it. When he said that land in his neighbourhood was worth five pounds an acre rent, he meant some land. He thought eight, if not twelve acres of the land which he farmed was worth five pounds an acre; but he could not collect the name of any field or close in which the land he so valued was situated. He had his farm on a lease of seven, eleven, or fourteen years. He had always paid his rent to Mr. Guiness. It was not by farming that he made the money which he had laid out in houses at Tregony. He had had no other trade or occupation since 1812 but that of a yeoman. He became acquainted with Mr. Freshfield on the 13th of June, 1826. He had never before seen or corresponded with him. Mr. Freshfield called on him at Penryn. He had not taken a house at Penryn for the purpose of turning the election for that place to his own account. Mr. Freshfield called upon him to request his support of Mr. Manning. His answer was, that he had no objection to support Mr. Manning. No terms were mentioned. He was not to be employed at so much a day, or so much a week; he made no stipulations whatever. He did not know that he was to receive anything. Mr. Freshfield never said, that it would be advantageous to him to support Mr. Manning. The way in which he was to support Mr. Manning was by inducing voters to vote for him. Mr. Freshfield had never seen him afterwards on the subject. He had seen Mr. Freshfield after the election, and had told him that he had been at some expense at his house on account of the election. Mr. Freshfield said, he could say nothing about it. He did not say that he could say nothing about it for fourteen days. It did not occur to him, that Mr. Freshfield meant that; although he knew that no petition could be presented to parliament complaining of bribery which had taken place until fourteen days after the election. He had told Mr. Freshfield, that he had no claim upon him. Mr. Freshfield was not Mr. Manning's agent. He did not know who was Mr. Manning's agent. He did not know what Mr. Freshfield came down to
Penryn for. He had heard that Mr. Freshfield was Mr. Manning's solicitor. He had never seen Mr. Freshfield again; although he had written to and received letters from him. He had asked for some little expenses which he had been at. They amounted to about 40l. He had never, however, demanded any larger sum. He left it to Mr. Freshfield. He should have been satisfied with 50l. He had not said that he had been 40l. out of pocket. To the repeated question, whether he would have been satisfied with the balance of ten pounds for his trouble, the witness answered that he had had no trouble. He should have been satisfied with 50l. When he said before that he should have been satisfied with 50l. he meant that, although he should have been satisfied with 40l. he should have been better satisfied with 50l. He had never paid anything at Penryn but what was justly owing to persons. Mr. Freshfield had never given him a farthing. He had not applied to anybody else. He had not had any further communication with Mr. Freshfield since that which he had described. He had not been paid in so scanty a manner at some other elections. He had been paid liberally. At Barnstaple he had received from sir Eyre Coote in 1812, 500l. for his services.

—Was that 500l. clear nett profit, or had you the handing of any other money? It was clear money. —Were you his agent? No.—Then for what was the money? For my services, travelling about to see the electors, and associating with the voters.

—Did you ever get any other money? Perhaps I might. —Come, what did Mr. Taylor give you? In 1806, I think, he gave me 300l. —Did you ever receive any other money from Mr. Taylor but that 300l. I think that out of respect for me, he might have let me have a couple of hundreds afterwards.—Besides the 300l. clear pay, and the 200l. respect money, how much more did Mr. Taylor give you? I do not understand you. —How much did that election cost Mr. Taylor? Perhaps 3,000l.—Perhaps 6,000l.? No it did not. I know not what it cost him. In 1806, it did not cost him quite 3,000l.—In what way was that 3,000l. disbursed? Each of the London voters had 8l. to go down, and 8l. to come up, and that made 1,600l., as there were a hundred of them. The Bristol electors had to be paid besides 12l. each.—Had you the payments to make? Yes; all that money passed through my hands. —Was that the whole of the expense? No, I believe not.—This was at Barnstaple: how much did you get at Tregony? There was no expense there.—What! no expense in getting a hundred and eighty voters at one side in a contested election? None, only the treating. Did the treating money pass through your hands? Yes.—Did you pay it all yourself? Yes.—Out of your own pocket? No.—How much? I cannot tell.—Come, tell us within 500l. of the sum. I cannot say.—Was it 3,000l.? I don't know.—Was it 2,000l.? I don't know.—Was it 1,200l.? I don't know.

The witness was ordered to withdraw.

The Attorney-General said, he would submit to the committee, whether it was expedient, by continuing the course which his hon. and learned friend had adopted, to go into matters which took place at other elections, when the question before the committee was what had transpired at the election at Penryn. He really thought his hon. and learned friend had, by his questions, brought another issue before the committee, which was in no way essential to the matter before them.

Mr. Brogden said, he was astonished at what had fallen from his hon. and learned friend. It was both the privilege and the duty of the British House of Commons, when they got within their reach such persons as this, to expose them as much as it was possible they could be exposed, and to hold them and their worthless employers up to the scorn and indignation of the country. He required no other argument—he would seek for no other argument—than this, by which to justify himself in adhering to a practice which all former attorney-generals had rather thought it their duty to sanction than to attempt to stifle by taking technical objections,—a practice which he had always followed, and had never before seen excepted to,—a practice, moreover, in which he was sure he should be upheld and protected by the House, no matter by what authority it might be impugned, even though it should be that of his majesty's Attorney-general [cheers]. He would defy the subtility of his hon. and learned friend to point out any question of his which did not make for the purpose before them,—which did not involve the credit of testimony. If he were not allowed to put questions to which an intelligible and dis-
tinct answer must be given, the witness
had nothing to do but to make up his
mind to say 'No,' as he had done to the
questions of the hon. member for Leicestersh-ire. He had no doubt that his hon.
friend had other testimony by which he
could confront and confound these answers
of the witness. He could see plainly that
his hon. friend had such testimony in re-
serve, by the manner in which he had, in
his questions, referred to other persons,
and associated them with the subject of
those questions. He called upon the
House to consider but for a moment the
unsatisfactory, the negative answers of the
witness; and he would then ask them, if
it was not absolutely necessary to put such
a man to the test of a rigorous examination.
He never knew before that night, that
such a character was one that ought to be
protected: a character the most de-
spicable—a regular Cornish borough-
monger. He should be sorry to go one
step further than his duty directed him,
but with one step short of that he would
not content himself; and he hoped that
his majesty's present government would
not allow any let or hindrance to be thrown
in the way of such a course.

The Attorney-General said, that his
learned friend had much mistaken him,
if he supposed that he meant for a single
moment to protect the witness. He felt
quite as much indignation at his conduct,
as his learned friend could possibly feel.
It was not because he felt less than his
learned friend, that he had taken a less
indignant tone; but because he thought
that a temperate discussion was better
suited to the purpose of the committee.
If any member of the committee thought
it necessary to go into these matters, he
should be the last man to stop such a
course. His only reason for rising was,
that many gentlemen around him thought
the matter had been pushed a little too
far. His object was that of saving the
time of the committee. If, however, his
learned friend, or the hon. member who
had brought the subject forward, thought
that it ought to be gone on with, he would
cheerfully withdraw all opposition.

Mr. N. G. Calver thought it expedient to
enter into a cross-examination, however
diffuse, if the truth from such a man could
be elicited by such means.

Mr. Wynn said, that this man being
already in Newgate, and having now ex-
posed himself by so many falsehoods,
appeared to him to be in a situation, that
"non habet unde cadat." It was impos-
sible for him to fall any lower.

Mr. Brougham said, he perfectly con-
curred in that view of the matter; and, if
that was the impression of the committee,
he was perfectly satisfied.

The Attorney-General said, he was
satisfied half an hour ago that no one
in the House believed the witness.

Mr. Legh-Keck heartily thanked the
learned gentleman, for the able manner in
which he had cross-examined the witness;
because he was sure that he had screwed
himself up to the sticking place of denial.

Mr. Hume thought the language which
the hon. gentleman (Mr. Wynn) had used
in speaking of the witness hardly tolerable.
It ought not to be said, that a man's cha-
acter was blasted, unless there was very
strong grounds for such an assertion. If
it could be proved that his evidence was
false, such language might be fairly used:
but, until then, he thought it uncalled-for.
He had not seen any thing to warrant the
language which the hon. gentleman had
used.

Mr. Wynn said, that, in his opinion, the
witness had flatly contradicted himself,
and was therefore altogether unworthy of belief.

Mr. S. Bourne thought, that if his hon.
friend had known the character of this
witness before, it would have been better
not to have produced him at all; as no
reliance could be placed upon his evidence.

Mr. Legh-Keck said, that the witness
would not appear before the committee,
and he was therefore glad that he had
been enabled to produce him before the
House, in order that it might be satisfied,
that what other witnesses had said of him
was correct.

Mr. Ferguson said, there was scarcely
a fact sworn to by the witnesses in the
evidence which this man had not con-
tradicted; and yet the hon. member for
Montrose wished to hear other evidence,
before an opinion was pronounced upon
the credibility of the witness.

Mr. D. W. Harvey thought it very im-
portant that this man should be farther ex-
amined. He had said, that his clerk kept
a list of voters, with the sums paid
up to each marked against their names. It was very
desirable that it should be ascertained who
paid these sums. Though the evidence
of the witness was not worth any thing of
itself, yet it might be received, in support of
the less questionable evidence of others.
John Stanbury was then re-called.

Examined by Mr. & Bourne.—He had told them before, that his clerk kept a list of the voters, together with an account of the money paid to each. That money came from Mr. Wedder. The money paid to these voters was in consideration of services performed by them. They had been engaged for the last two years.

By Dr. Phillimore.—All the money he received was for treating at Penryn. Perhaps three hundred electors might have partaken of this treating. The nature of the treating was eating and drinking. On one occasion, he recollected distributing four bushels.

By Dr. Lushington.—He never gave, or promised to give, any money to the electors of Penryn for their votes. He kept two banking accounts in Cornwall, and one in London; he kept a banking at Prad's at Truro; at Canna's at Penryn; and at Barclay's in London. All the sums which he paid did not pass through his bankers' hands. He had some of the bankers' books with him in London. At Penryn, the money he paid passed through Canna's hands; he had not got that banking book with him. He was at Medlicott's house, at Tregony, when the summons to attend the committee on the Penryn election was served upon him. He did not obey that summons, because he was prevented by illness. His illness arose from carbuncles. He had a certificate to that effect, signed by two physicians. Neither of these physicians resided at Tregony. They both lived at Treror. He had to send ten miles for them. They had not attended him before he received the summons. He sent this certificate up to London, and afterwards petitioned the House. When he left Tregony he went to Barnstaple. He was able to take that journey in spite of his carbuncles. He took no means for keeping that journey a secret. He did not recollect telling any body not to say where he was gone. He did not recollect that he told Mr. Medlicott to keep his journey a secret. He was not shut up in Mr. Medlicott's house, for the purpose of avoiding being served with the summons. The person who served him with the summons, said, that he had a claim upon him for some straw, which he wished to have settled; and when he came into the room he served him with the summons. He did not go away in order to avoid the summons. He went away upon business. He knew the guard of the Falmouth coach. He believed he gave him half-a-crown. He did not think that he ever said any thing to the guard about keeping his journey a secret. He had no reason for wishing to have it kept a secret; for telling the guard not to put his name in the way-bill,

By Mr. Legh-Coek.—He meant the House to understand him as deliberately stating, that he did not believe any of the voters to have received money for their votes.

Robert Waeding was then called.

Examined by Mr. Legh-Coek.—He had never authorized John Stanbury to pay any money for election debts. He knew two persons of the names of Medlicot and Harvey. He did not recollect that these persons ever came to him and told him, that if John Stanbury did not pay the money which he had promised the voters, he (witness) had no chance of coming in. He advanced three sums of money to Stanbury; two sums of 500l. each, and one of between 300l. and 400l.

By Mr. D. W. Harvey.—The money he advanced to Stanbury was by loan. Stanbury did not say that any part of the money was to be devoted to election purposes.

By Mr. C. Barclay.—He suspected that there was not a sufficient number of persons who would vote for him without remuneration; and it was for that reason that he went away.

The witness, in answer to various interrogatories admitted, that he lent a sum of money to Stanbury, who said he had pressing necessity for it. Witness lent the money to Stanbury, because he believed his representation, and wished to serve him.

Examined by Lord Palmerston.—Would witness state what sum or sums of money the electors of Penryn expected to receive? Could not say.—How did they express their expectations? In no intelligible form. Were you informed that the electors were in the habit of receiving money for their votes? No, never.—What did you suppose that they expected money from you, if they did not expect money from other candidates? They first promised me their votes, and then stipulated for the sums they were to receive for them. —Did you not lose your election from the corrupt practices in the borough of Penryn, or because you could not be returned on
other grounds? I conceived I had no chance, unless I resorted to corruption.

In answer to subsequent inquiries, he said that he had visited Penryn about a
few nights before the election, and that he visited every voter in the borough, amount-
ing to about four hundred. Witness had given Stanbury a note of hand for 1,000l.
and a warrant of attorney for 300l. The charges of petty matters connected with
the election did not amount to more than 150l.

Mr. John Coern was examined by Mr.

Legh-Keck. Was a voter of Penryn, and

know Stanbury; was once sent by him for

some money to a person named Anderson;

went by Stanbury's direction, but did not

receive the money; Anderson sent back word

that he would see Stanbury in the course of

the day. Witness was not aware that this

money was for the purposes of bribery.

James Mallet was called to the bar, and

examined by Mr. Legh-Keck.—Is it not a

custom in the borough of Penryn to give a

breakfast on the morning of an election,
at which the sum of 30l. is given to each

voter? He was not aware of such a prac-
tice.—De you know what is meant by a

phrase, which is very common in the

borough; namely, to make people "com-

fortable"? No; I never heard the term

mentioned until now.

Examined by Mr. D. Barclay.—How

long since has the practice of giving break-

fasts in the borough ceased to exist? I

cannot say.—Has it been practised within

the last twenty-two years? I do not know.

By Mr. Harrow.—What was the object

of the practice? I cannot say.—Was it

not understood, that a sum of money was

paid for each vote at the breakfast? Wit-

ness professed his inability to answer the

question. Witness remembered to have

heard of "breakfasts," but did not know that

they were given within the last twenty-

two years.

Mr. Charles Francis Addy was examined

by Mr. Legh-Keck.—Witness is a solicitor,

and canvassed the borough of Penryn in

1834 for lord Perceval. He found a great
disinclination in the voters to speak out.

The general expression was, "I wish you

well, Sir; you may have me if you like;
you have only to speak to my wife, and it

is your own fault if you have not my vote."

Witness added, I considered that I had no

changes in the time. The ground was

wholly in the interest of Mr. Barclay, and

it was not considered advisable to proceed

any farther than. In 1836, I canvassed

the borough with lord Perceval in person.

The reception we met with was nearly

similar to that which I had before experi-

enced. I found a general disinclination

towards us, because it seemed to me that

the people were used to receive money, and

expected we would give it. I was not

asked for money until a few days before

the last election. I was present at a meet-
ing on the green a few days before the

election. The object of it was to induce

the candidates to open houses as usual. A

crier went round the town, calling upon

the voters to attend, that they might send

for the two unsuccessful candidates from

Tregony, to offer themselves. The conse-

quences was, that an open system of treat-

ing commenced. Without that system, I

believe the candidates would have had no

chance. I had several offers of support

for money. On one occasion, I was called

up at two o'clock in the morning, by a

person who offered me seventy votes at 10l.

a-piece. I did not accept that offer,

which was made by a person of the name

of Moore. I do not believe that a

candidate can be successful in that

borough, without money or a promise of

money. If one candidate bribes, the man

opposed to him who does not bribe has no

chance whatever. I found great difficulty

in getting the voters up on Monday and

Tuesday: some came up on the Wednesday,

but a great many on the Thursday. I was

informed, that bribery was going on, and

that we had no chance. Several tensors

of votes were made to me. The parties

did not ask for money down; but said that

if the thing was made "all right" they

would vote. Several told me that they

would rather vote for 5l. a head from

lord Perceval, than for 10l. from the other

party. There were several who voted for

lord Perceval who had not got any money

or promise of money. It was found that

the party who bribed, seeing that lord

Perceval would not bribe, stopped; and

then many persons came and voted for his

lordship, who would not otherwise have

done so. A person of the name of

Stephens came and offered me ten votes at

10l. a head. On the fourth day of the

election I became a candidate. I did so

for the purpose of administering the

bribery oath. I did order it to be

administered; but it was objected to by

Mr. Manning's counsel. Several persons

advised me not to press it:so it was very
obnoxious in the borough, and many of them had strong objections to take it. I found it was useless to press it; for I saw some who offered me their votes for money to take the oath. Witness then proceeded to state, that it was a usual practice in the borough for candidates to pay the rates of those voters whose rates remained unpaid at the time of the election. For this purpose, a certain sum was deposited by each candidate; and, if a man voted for two candidates, his rate was paid between them. The rates of a hundred and ninety-five voters were so paid at the last election. He believed there were witnesses who could prove the payment of the poor rates. He believed that nearly all the voters partook of the treating; and that more than half of them were bribed.

By Lord Milton.—Lord Perceval received seventy or eighty promises in 1825. All those promises were not fulfilled. I myself took up a body of eighteen to vote, and nine of them voted against us. There were four hundred and thirty voted. We were in the Swann party, as many of the lower orders had promised their support to that interest. I did not see the same disposition in the higher classes of voters to take money as in the lower. Some of the higher classes offered votes, for situations in the India House, or other places.

By Mr. C. Barclay.—I do not mean to say that a candidate would have no chance of success if neither party bribed. Mr. Manning's voters divided their second votes with Mr. Barclay; so did lord Perceval's. I do not say that Mr. Barclay was guilty of bribery at the last election. He had no occasion for it.

By Mr. D. W. Harvey.—There was a general system of treating throughout the borough at the last election. Witness was satisfied, that if bribery had not been employed by his opponent, lord Perceval would have carried his election. There were a hundred and seventy-two voters who had promised plumpers to lord Perceval, and many others had promised to vote for him, as soon as Mr. Barclay was safe. Lord Perceval only polled a hundred and fifty-two votes; and of these a great many were votes split between him and Mr. Barclay. Witness believed that the voters who neglected their promises to lord Perceval had been bought over by the other side. Witness saw Stanbury at Penryn during the election. He believed that a great many voters went to the house where Stanbury lodged, and, whilst there, either received or were promised money for their votes. A voter told me, that he had first received 10l., then 2l., and then 3l. more from Mr. Anderton, who was Mr. Manning's agent at Penryn, for his vote. Two other voters told me that they had also received money from Mr. Anderton.

By Mr. Peel.—When witness received a promise of a hundred and seventy-two plumpers for lord Perceval, the total number of voters, to the best of his belief, was four hundred and thirty-four. He believed that those persons expected to receive money after the election, but they did not express that expectation to him. They said, that, if they were in the hands of honourable men, they would be satisfied with an understanding.

By Mr. Leslie Foster.—Witness believed that one of the sitting members was not indebted to bribery for his seat. He believed that the other was indebted to bribery for his seat, as his counsel objected strongly to witness's administering the bribery oath. He thought that the payment of 700l. to Moore would have enabled lord Perceval to carry the day.

By Mr. Stanley.—Witness thought that a large proportion of the inhabitants of Penryn could not have taken the bribery oath with a safe conscience.

By Mr. Brougham.—There was treating as well as bribery. Both were carried on very extensively. All the candidates treated. There was an express order issued by me, that there should be no treating; but the public-houses were kept open, just as if such an order had never been given. Every body had just what they liked; and witness never interfered to see whether his order was observed or not. There was no understanding among the candidates, that they would not take advantage of one another for treating. When witness gave the orders which he had just mentioned, he suspected that they would not be complied with.

By Sir J. Graham.—Witness was of opinion, that in every borough in England the non-bribing candidate would have but little chance against the bribing candidate.

By Mr. R. Grant.—Witness believed that half the electors of Penryn, if not more, had voted at the last election from corrupt motives; that at least one half of them had been bribed. His reason for that opinion was, that when he asked them
inhabitants of Penryn would rather see the
nary prices having been given at Penryn
borough for
certain1
not speak to it of his own
election, though he
believed that a great many
vote. The rice of
might receive for their votes at the next
election, without bribery, would not have a
himadf
nevertheless, he
heard
upon merely independent princi-

circumstances
The rice of, or corruption; but
he had not heard any such promise made
by a candidate. From his knowledge of
the mode in which the business was done
among the mass of the electors at Penryn,
he had no doubt but that the election
was carried by bribery.
Thomas Olive stated, that he was ac-
quainted with the election of 1824, and
with the circumstances of the last election.
He knew that considerable bribery and
general treating were carried on. He was
conscious no candidate could succeed
without bribery. Had known several per-
s ons in possession of money who could not
have obtained it but as bribes. He can-
vassed the borough for Lord Perceval.
Several persons told him that they would
have nothing to say to him, but he would
find their wives at home, and they would
do the business. None of the voters ever
alluded to the political opinions of the
candidates.
Lord Milton said, he had something of
importance to communicate to the House.
There were two witnesses, Mallet and
Cearn, but certainly there was one, Cearn,
who had, in the course of his evidence,
stat ed that he had not seen Stanbury since
he came to town; and the turnkey of
Newgate was in attendance to prove that
Cearn had seen Stanbury in Newgate that
day.
On the motion of the noble lord, the
evidence of Cearn was read over; and in
it he had denied that he had seen Stan-
bury, except in the lobby of the House.
Harris, the turnkey of Newgate, was then
called in, and stated, that he had seen
Cearn at Newgate that day with Stan-
bury.
Cearn was then called in, and Harris
said he was the person he had seen. The
evidence Cearn had before given was read
to him, and he was asked if that was the
evidence he had given? Yes.—Have you
seen Stanbury this day? Yes: I saw him
this morning.—How long did you stay
with him? A quarter of an hour.—Why did you not state that circumstance when you were before examined? I was so much occupied with the question put to me that I forgot it.

Mr. W. Wynn moved, that the chairman report forthwith, that John Cearn, in the evidence he had given before the committee, was guilty of perjury and falsehood. The motion was agreed to, and the chairman having reported the resolution of the committee, moved "that John Cearn, for his said offence, be committed to Newgate.—Ordered.

Mr. Legh-Keck said, he thought the case was sufficiently strong as it was. He should therefore decline calling other witnesses.—The chairman reported progress, and obtained leave to sit again on Monday.

HOUSE OF LORDS.

Monday, May 21.

Catholic Emancipation.] The Earl of Mansfield said, that agreeably to what he had stated on a former evening, that he would be regulated by the advice of his friends with respect to the motion of which he had given notice for the 7th of June, he should now move that the order for summoning their lordships for that day be discharged. He would also observe that he had no intention of bringing forward the motion at any future period. At the same time he wished it to be distinctly understood that his own opinion on the subject was unaltered. He did not, however, think it fair that he should consult only his own feelings, and his friends concurred with him upon the general principle, but differed from him in the course which he was disposed to adopt. He was not at present inclined to say anything that would provoke discussion; but if any motion should be brought forward in reference to the subject, with every wish for unanimity, he should exercise his judgment upon it, and give it the unbiased support of his vote.

The Earl of Harewood seeing that this motion was disposed of, wished to put a question to a right reverend prelate on a subject of the highest importance. He disclaimed any wish to provoke discussion; all he desired was a plain answer. He was well aware of the delicacy of the question, but it was most important that the House and the country should have a proper understanding on the subject to which it referred. He had seen it publicly stated, that an opinion, held in a certain quarter, on the Catholic question was conveyed to the bishops, and through them to the clergy, by two eminent divines. Now, what he wished to ask was, upon what authority that declaration was made, for if it was made upon the authority publicly stated, it could not have taken place without the knowledge of his majesty's privy council.

The Bishop of London said, he felt some difficulty in answering the question put to him by the noble earl. He did not understand the precise import of it; but if it referred to a statement which had appeared in the public papers, respecting an opinion entertained in the highest quarter—a quarter which he was not at liberty to mention—he had no hesitation in saying, that that statement was substantially correct. He should not have presumed to have made it unless upon authority; and if their lordships desired that he should go further, and state what the authority was, he was ready to obey their commands [Loud cries of "order!" and "go on!"]

Earl Spencer rose to order. There was now no question before the House; and the subject had much better be brought forward in a formal motion, than by irregular and desultory debates. The question was one of the highest importance, and could not be disposed of in this manner.

The Earl of Eldon said, that if the object was to elicit by the answer of the right rev. prelate the authority upon which he had made the statement, the question ought not to be entertained.

The Earl of Harewood said, he could state from his own experience in parliament, that it was not unusual to put questions; and he was the more induced to put this one, because no answers were given to some that were recently asked. It was only said by noble lords opposite, that if any motion was made on a question affecting the stability of the government, then the necessary information would be afforded. He had no desire to provoke discussion. All he wanted to know was, what he had now ascertained, that the right rev. prelate had authority for, doing what he had done.

The Marquis of Lansdowne wished to make a few observations, in reply to what had been stated by the noble earl. It was merely as a matter of courtesy that ques-
advisers of the Crown. In his opinion, the sooner the present discussion dropped, the better.

Lord Rolle said, he had heard with great satisfaction that the statement in question had been made.

The Earl of Harrowby said, that the answer of the right rev. prelate ought not to be taken in the sense in which it seemed to have been interpreted by the noble earl. If the House put upon the words the interpretation given to them by the noble earl and others; it was its duty to interfere, and stop the right rev. prelate from proceeding farther. He himself was not blind to the importance of the question; he was not blind to the object for which it was put; he was not blind to the impropriety of suggesting a private question to a privy-councillor, in order to ascertain the private sentiments of the individual on whose head the crown might be placed, upon a great question, at a time when that question remained to be discussed. This was destructive of the character, and incompatible with the privileges of parliament: it made it unfit that they should sit there, mocking themselves and the country with the idea, that they were discharging their duty, while they permitted it to be supposed that, on any measure which was pending, or about to be pending, the sovereign had formed a previous determination. No noble lord ought to presume to ascertain beforehand, what might be the private determination of the sovereign of the country, on a subject which must come before parliament, and on which he must take or reject the advice of those who were his confidential servants. This was not the true doctrine of the constitution. If it was, those who had so strenuously endeavoured to establish a free representation had fought and bled in vain. On these grounds, he trusted that the question would never be discussed; and in whatever form it might be brought forward—whether regular or otherwise—that it would meet with a direct and indignant negative.

Earl Grey said, that if the question was brought forward in the manner which he should propose, he was persuaded it would not meet with a negative; nay, he should even expect the support of the noble earl himself—concurring, as he did, in every sentiment which he had expressed. It appeared to him, however, that the noble earl should have reserved to another occasion the remarks he had made upon a
question which, most of all others, affected the independence of parliament.

The Earl of Harewood said, that whatever impropriety there might be in introducing the subject, he was prepared to take all the blame and responsibility upon himself. He knew that the question was one of great delicacy; but, when a communication on the subject was made to large bodies of men, he felt that it was no longer of a private, but public nature.

The conversation then dropped.

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**HOUSE OF COMMONS.**

**Monday, May 21.**

**Emigration.**

Mr. Maxwell said, that he held in his hand a petition connected with the subject of Emigration. The House would bear in recollection, that sometime ago the case of a number of poor people, inhabitants of Renfrewshire, in Scotland, came before that House, when, being referred to the committee on Emigration, it was taken fully into consideration by them. The case excited the greatest attention, as it naturally ought to have done, not only amongst the members of the Emigration committee, but also amongst those of the Relief committee, who managed the distribution of the fund supplied by public subscription for the relief of the distressed manufacturers. This committee made a proposition to the Emigration committee, which, under the circumstances, was acceded to by the latter. It appeared, that such was the degree of distress which was then experienced by the Scotch manufacturers, that the London committee proposed to apply a sum of 25,000l. provided that a further sum of 50,000l. could be obtained from government by the Emigration committee, to enable the suffering body of manufacturers to migrate from this country. The offer was, after consideration, accepted by the latter, and a report was made recommending the grant. The report was laid before government; as it was necessary that the sanction of the chancellor of the Exchequer should be obtained before the grant of a sum could be obtained from parliament. He was now desirous of knowing what was the intention of government with respect to this report.

Mr. Cunning said, he could assure the hon. gentleman, that the question was one which had occupied many anxious hours of the time of his majesty's ministers; and, if the conclusion to which they had ultimately come was not one which would meet the wishes of the hon. gentleman or his constituents, it was because his majesty's government had preferred that course of conduct, which sound policy, and a due attention to the best interests of the country, recommended. The state of the case was shortly this:—In the progress of the labours of the Emigration committee, there came to their knowledge instances of peculiarly aggravated distress in certain parts of England and Scotland, the urgent nature of which demanded a prompt and separate consideration. The committee, at the same time, received a communication from a committee appointed to manage the funds subscribed by private benevolence for the relief of the distressed manufacturers, in which they proposed to give a sum of money, to be applied to the service of those necessitous persons, on the supposition that the Emigration committee would be able to procure the advance of another and a larger sum for the same purpose. The Emigration committee took this tender into consideration, and the result of their deliberations came before the government. There was no reason why government should not have considered the subject, and why they should not have permitted the application to be made to parliament. But, before any decisive step was taken, reports, he was happy to be able to say, reached government, representing that a gradual, sensible, growing improvement had taken place in the manufacturing districts of the country—that though wages were not high, yet that there was no want of work—and that, as it was represented to him, all willing hands were now in a state of employment. Acting upon these representations, when he saw the gentlemen of the committee this morning, with whom he had an interview preparatory to the present question being put, he thought himself justified in putting this question to them, "If, now that an improvement has taken place, and sensible as you must be of the great impolicy and inconvenience of granting large sums of public money, to redress temporary and local distress, are you, under the circumstances, prepared to enforce your application?" The general and immediate answer was, "Certainly not; for that it was under the pressure of an immediate exigency that they had originally communicated with
New Administration.

New Administration.

The resolution was passed unanimously in the committee; but he had no hesitation in saying, that the reasons stated by the right hon. gentleman were perfectly good, for now withholding the grant.

Mr. W. Horton begged to declare, on the part of the Emigration committee, that the pecuniary relief they proposed to afford to those who were disposed to emigrate, was intended solely for a particular description of persons, the hand-loom weavers, and founded upon the peculiarity and urgency of their particular case. Now, as it appeared that that peculiarity of case and urgency of distress had ceased, the committee adopted the course which had been already explained. The report of the whole proceeding would, he hoped, be soon in a state to be laid on the table of that House; and it would be then seen, that the money of the country had been in no instance idly expended.

New Administration.] Sir T. Lethbridge wished to take the opportunity of asking a question of the chancellor of the Exchequer. What he was now going to address to the right hon. gentleman had reference to a question which he had asked of him some eight or ten days ago, and upon which, not having been then satisfied, he was most anxious to obtain a full explanation. This question was the more necessary, in consequence of what had recently occurred in another place, where statements made by a noble lord, formerly the colleague of the right hon. gentleman, had made it not merely incumbent than ever on that right hon. gentleman, for the clearing up of the doubts which beset his mind, and that of the country at large, to give some explanation of the circumstances which led to the dissolution of the late, and the formation of the present, administration. His question went to this—whether the right hon. gentleman was or was not in communication with the leader or leaders of his late opponents in that House, and whether or not overtures had been made by those leader or leaders to join and support his measures, if he should be placed at the head of the government of the country? That, he believed, was the substance of the question; and, in the answer, if he understood it rightly, the right hon. gentleman admitted fully, that he had received such a communication from such leader or leaders, or words to
that effect. He believed he was correct in assuming that the right hon. gentleman made such an admission. But, at the same time, he had asked, when it was the right hon. gentleman had received the communication in question; and, as he saw no impropriety in pressing the question, he trusted the right hon. gentleman would give such an answer as would satisfy the country. The right hon. gentleman, he was sure, had too much candour to press this question, and he hoped to receive an answer as would satisfy the country. The right hon. gentleman, he was sure, had too much candour to press this question, and he was not sure that he should not entitle himself to the right hon. gentleman's thanks for the course which he was pursuing. What he asked was—when these overtures were made, if they had been communicated by the right hon. gentleman to his majesty? if they had been communicated, and when, to his former colleagues, or any of them? These queries he put thus distinctly, that there might be no misunderstanding as to terms, and he hoped to receive such an answer as would satisfy his mind, the mind of the House, and lead to a more clear understanding of that transaction, which it was so necessary to the right hon. gentleman's character to have well understood.

Mr. N. Calvert said, he had been of opinion for some time, that the hon. baronet was taking a course which was irregular, and exceedingly inconvenient; and in this surmise he was strengthened by the conclusion of the hon. baronet's voluminous question. Too much of the public time had been already wasted upon these desultory and useless discussions; and, therefore, if the right hon. gentleman took his advice, he would not make a single observation in reply to the question.

Mr. Canning.—Sir, I would cheerfully comply with the suggestion of the hon. gentleman who has just addressed you, but for the conclusion of the hon. baronet's speech. I must take the liberty of dividing that speech into two parts; that which related to certain queries which were propounded by him on a former day, and that which comprised the series of questions he has now first suggested. If I should be, however, no more fortunate in my endeavours to convey to his mind my answer to those new questions, than I seem to have been in respect of the old ones, I am afraid I shall occupy the time of the House to very little purpose. Now, Sir, in the first place, I did not, on a former occasion, admit to him what he is pleased to state as the substance of my admission to the question he then put, I distinctly answered "No." And I again repeat, that, if by "communication," he means, in effect, negotiation, I have now the same answer to make, "No." I had no letter whatever from those parties, of the description to which he has alluded. But, a letter written by a certain eminent person to a friend of his, was undoubtedly shown to me. Whether the showing of that letter to a third party, the hon. baronet will be inclined to consider as a breach of confidence, I am not prepared to say; but, from it, I did collect the favourable intentions which the writer was disposed to entertain towards me. But the hon. baronet must give me leave to say, that he is exceedingly mistaken indeed, if he supposed, that I have received no other letters of the same tendency. I am afraid, he would be extremely mortified, if he were to see the number of such letters which come to me. I receive them daily, though I do not think that the hon. baronet has say, the least, right in the world to ask me, from whom or to what precise effect; but, unquestionably, I apprehend that I could "Bear his eyes and beat his heart," if I were to show him the whole of this correspondence. As to the new questions put forth by the hon. baronet, on the present occasion, I shall, after referring him to what passed on a former day, adopt the advice of an hon. gentleman opposite. I will not answer him one word. I will not answer him—not because there are not many honourable individuals, who could answer him for me, but because I think it well becomes the dignity of this House to get back, at length, to old parliamentary usage; and not to waste its hours on discussions of this irregular and extraneous character. I think we ought to know who are our opponents; and, if the hon. baronet be not, himself, the one great parliamentary pacemaker, I challenge him to bring forward his counterpart, and let them boldly avow their opposition.

Mr. Brougham said, he entirely concurred with the right hon. gentleman as to the propriety of getting back, without delay, to parliamentary usage. He, for one, was of opinion, that questions of this kind, whatever might be the tone and manner in which they were put, were really suggested for the sake of exciting discussions, which could only prove unfair, irregular, and therefore, ought never to be encouraged. This was not the only
House in which such questions had been of late pronounced, with the ostensible purpose of satisfaction, not only to parliament, but to the country at large.

Now, it of course became him to speak of the absent with all becoming respect; but, from what he had not only heard others say in another place, but from what he had heard said of them, he could only express his unbounded regret, that a prayer, which he had heard yesterday solemnly preferred, had not hitherto been fulfilled. He could only express his sorrow that it had not yet pleased Divine Providence "to end all the nobility with grace, wisdom, and understanding" [a laugh]. That a portion of the nobility was so ended he had no manner of doubt; but even if he were willing to suppose that nine tenths of them were so gifted, he conceded from himself or from the House, that the remaining portion of that illustrious body was still in a condition to require the prayers of the church. He took this opportunity of declaring, that he should still continue the cordial support which he had hitherto given to his majesty's present government; for, notwithstanding the implied censure of the hon. baronet, he had never yet heard it authentically stated, that it was unconstitutional, to say the least of it, for persons not in any way officially connected with the government, the principles, and the members of which possessed their approbation and confidence, to tender to that government their general support. As a friend to the constitution he should continue to tender, wholly unconnected as he was with office, such aid, and to give to the administration the most cordial, as well as vigorous, support it might be in his power to afford them. In all charity, therefore, he could not help expressing to the hon. baronet his own wish—he believed it to be the wish also of the House—he knew it to be the desire of the country, and he could imagine no reason why it should not be the desire of his majesty's government also, that this his prayer to the hon. baronet should not be acceded to—he could not help expressing his wish, his entreaty, that the hon. baronet, and those with whom he acted, would abandon the irregular, unparliamentary, and, to a certain degree, unfair, ungenerous, and unjustifiable mode of carrying on their warfare with his majesty's government. He implored the hon. baronet, rather to come forward at once with a specific question.

Let the hon. baronet name his day, let him give his notice, and no doubt every hon. member would cheerfully stand out of the way for so important a discussion. Let his majesty's government be fairly put upon their trial before the House and the country, on a distinct and regular parliamentary question; and he, for one, on such a question, should be delighted to meet the hon. baronet and his friends.

Sir T. Lethbridge said, he did not wish to provoke discussion, but he had received no answer to the question, upon the subject of the overtures made to the right hon. gentleman. He wished to know distinctly, whether the right hon. gentleman had made his colleagues acquainted with the overtures, or negotiations, which were made to him by the leader of their political opponents. He would ask that House, whether, as a man of honour, the right hon. gentleman was not bound to communicate that overture to his colleagues the moment he received it?

Mr. Canning—It may be convenient to the hon. baronet to know, what I have before stated, but which I now repeat with the utmost sincerity, that I will not answer a single question relative to the late transactions, unless it be brought forward as a motion. Not a single one—and I appeal to the House and the country, whether I am not justified in this course? But, in saying that nothing shall induce me to answer another question, I must and do protest against the hon. baronet or any other man's taking advantage of my silence, to put answers into my mouth. That he has no right to do [cheers].

The discussion was dropped.

Criminal Justice. Mr. Peel, in rising to move the order of the day, for referring the Larceny Laws' Consolidation Bill to a committee, ventured to commit a small irregularity, in first moving for leave to bring in a bill, which it was of great importance to have before the House in the consideration of the amendments in the criminal laws of the country. The bill to which he alluded was designed for the improvement of the administration of Criminal Justice, and was not one to which he anticipated any opposition. It proceeded upon the assumption, that every form in the administration of justice which had become obsolete, and not necessary, might, and ought to be, removed. In all
the alterations, therefore, which this bill proposed to effect, the substance of the existing law was in no instance affected. The alterations in the contemplation of the bill were as follow. At present, before a prisoner was put upon his trial, and had pleaded "Not Guilty," he was asked, "How will you be tried?" Now, everyone who knew anything of the administration of the criminal laws, knew how unnecessary this form was. It seldom served but to puzzle and confuse; and, in many instances, the answer to the question was such as was altogether inconsistent with the gravity of the occasion. It was expected that the prisoner would answer, "By God and my country;" but sometimes the answer was dictated by avarice, such as "I had rather not be tried at all;" and, frequently, the answer was either suggested by the gaoler, or, in the event of the prisoner refusing, was made by him altogether. Now, was it, he asked, at all necessary either suggested by the gaoler, or, in the event of the prisoner refusing, was made by him altogether. Now, was it, he asked, at all necessary to retain this form at all? and was it not consistent with common sense, that when the plea of "Not Guilty" had been entered, the trial might be proceeded with? Acting upon this view, the bill enacted, that when the plea of "Not Guilty" had been recorded, the trial might go on. The next part of the law, of which he would propose a repeal, was that which inflicted punishment on prisoners who, through obstinacy, refused to plead. He would propose, in all cases of treason, as well as of felony, that it should be a general rule, that the prisoner should be considered "Not Guilty." It was consistent with justice, mercy, and reason, that he should be considered so, merely for being mute, rather than otherwise; that the trial should take place, and a verdict of acquittal, or of guilt follow, according to the facts proved in evidence. In former times, when prisoners persevered in being mute, the ancient punishment, known by the name of peine forte et dure, was resorted to. Although it was sometimes relaxed in practice, yet in cases of treason, the continuing obstinately mute was equivalent to a conviction, and two such convictions had taken place, and execution followed: one of these was on a charge of murder, and the other one of burglary; the former occurred in 1777, and the latter in 1793. Now, he thought the extreme sentence of the law was too great a punishment to inflict for this offence; and he submitted that, in all cases, it would be more consistent with justice and reason, and more satisfactory to public opinion, if the punishment were to follow, and to be apportioned to, the evidence given at the trial. Although Mr. Justice Blackstone considered it to the honour of our laws that the peine forte et dure was abolished by the statute 19th George 3rd, c. 20; yet, in his opinion, it was necessary to go beyond that statute, which determined, that the standing mute in cases of felony, as well as of treason, amounted to a constructive confession, and to adopt a contrary rule of entertaining evidence and opportunity of defence on all occasions. The next alteration he would propose was that which incurred conviction from the party persisting to challenge beyond the number to which he was entitled. In cases of treason, to challenge beyond the number was enacted to amount to legal conviction, and was attended with all the consequences of the accused party being found guilty. In other cases, the challenges beyond the proper number were declared to be null and void. Now, he would propose as a general rule, that those challenges that were made after the proper number was exhausted, should, in all cases, be declared null and void. He would next propose the correction of a great practical abuse; namely, that of pleading a former attainer in plea of an indictment. Now he would propose, that a previous conviction should, in future, not be a bar to an indictment, unless it were a conviction for the same offence to which the indictment referred. The last change he would propose was, perhaps, the most important one. It was the total abolition of what was called "Benefit of Clergy." This was a most useless and unmeaning form. To every capital offence it was annexed. It was, in fact, a mere mockery, and ought no longer to encumber the Statute-book. There were some offences to which "without benefit of clergy" was annexed, in which case immunities were provided for peers; but, as these cases were only two; namely, sacrilege and horse-stealing, he thought, with respect to these two, it was not necessary to observe any particular exemption, and that the abolition of this form might be general, and extend to all cases. In all crimes of a capital nature, where it was intended that the punishment of death should remain, that punishment was to be declared, without mentioning
benefit of clergy. When, in addition to
the present, the offences against the person
and forgery were comprehended, nearly
the whole of our Criminal Law would be
consolidated. He meant to introduce a
clause to prevent the endless repetition of
singular and plural, masculine and femi-
nine, &c. This clause had been drawn
up by a gentleman from whom he had re-
ceived the most invaluable assistance in
the whole of his undertaking; he meant
to J. Richardson. He apologised for
not having trespassed so long on the at-
tention of the House. The bills, last session, had
stood for commitment. Under the cir-
cumstances which had since taken place,
he regretted the delay which had occurred
in their progress. He had, however, sub-
mitted them to some of the most learned
men in the country—men whose talents
and experience qualified them to give the
best opinions on the subject, and had
received from them a number of valuable
suggestions. —The right hon. gentleman
concluded by moving "for leave to bring
in a Bill for improving the Administration
of Justice in Criminal Cases."
Mr. Wynn expressed his concurrence
in the emendations of his right hon.
friend's bill, and the sentiments by which
he had introduced it to the notice of the
House. It had occurred to him, however,
with reference to the clause about prisoners
standing mute, that it might happen, that
they did really stand mute from the visita-
tion of God; that they might really be
incapable of making a defence, from being
seized with palsy or idiocy prior to their
arrangement. He thought it might be as
well if a previous inquiry were instituted
to ascertain if the party were insane. He
was quite sure that the abolition of benefit
of clergy would be an advantage; but he
was not quite clear that the privileges of
the peers were not more largely trench-
ed upon than his right hon. friend had stated;
and whether, in cases of bigamy and man-
slaughter, they had not privileges which
would be touched. In the case of the
duchess of Kingston, who was convicted of
bigamy, the benefit of clergy was claimed;
and when the penalty of burning on the
hand was to be substituted as the milder
punishment, she claimed the privilege of
the peerage, and escaped.
Mr. Peel said, he had introduced a clause
empowering the court, in a case of stand-
ing mute, to have a plea of not guilty
entered or not entered, at their discretion.
Mr. Brougham thought the first sug-
gestion of the President of the Board of
Control a good one. If a jury found such
a person mute from obstinacy, to enter a
plea of guilty, as was the practice at pres-
ent, was a most harsh proceeding; since
the person was punished for obstinacy.
It was the old law, that he should under-
go the pressure of a heavy stone on his
breast, and Mr. Justice Blackstone had
very properly considered that alteration of
the law, by which so savage a practice
was abolished, a comparative improve-
ment in our Criminal laws. Now, if the jury
found the prisoner mute by malice, he was
put on his trial; but he thought it would
be better, in cases where the prisoner was
found mute by the visitation of God, to
let the law remain as it was, than to give
so large a discretion to the court as that
proposed by the right hon. gentleman.
Mr. Sturges Bourne said, that the
House and the country were under the
greatest obligations to the right hon. gen-
tleman for the attention he had bestowed
upon this most important subject; a sub-
ject which he should be sorry to see in
any but such hands. The abolition of the
benefit of clergy would be as important an
alteration in the law, and as entitled to be
applauded by every one, as was the in-
crease of the punishment for a second of-
fence.
The Attorney-General concurred in
praising the meritorious exertions of the
right hon. gentleman. He lamented it as
a misfortune, that, owing to his having
been on circuit, and to other circum-
stances, he had been unable to render
himself master of the details of the bill.
Although the principle of consolidating so
many statutes in one act was admirable,
yet it was obvious that, if the execution
were not good, the whole design must fail.
Unless the object in view were accomplis-
ed by the most clear, distinct, and intelli-
gible, provisions, instead of saving labour
to the judges and the professors of the law,
it would very much increase their present
toils. He by no means intended to say
that such would be the consequence of the
present bill. He only wished to guard
himself against being considered a party
to it, if in its result it should be found
not to be so good as was expected.
Mr. Peel entirely concurred with the
hon. and learned gentleman, that, if the execution of the bill were not good, the
principle would be useless. He could
only say, that there had been some experience of a bill of a similar description, by which eighty or ninety statutes had been consolidated, and which had now been two years in operation; and yet not a single representation had been made to him of any objection to that measure. He had consulted a number of persons concerned in the administration of the law; and he must say, for the honour of the profession, that he had never met with a member of it who was not always ready to give him every possible assistance and advice. He could name, among many others, Mr. Starkie, Mr. Russell, and others, and all the judges.

Mr. Ferguson, while he admitted that the assertions of the right hon. gentleman were most meritorious, observed, that when a proceeding consolidating a hundred and twenty-seven acts of parliament, was proposed, they ought to know the legal authority on which such proceeding was founded. He thought it would have been very desirable if the Attorney-general had had an opportunity of considering the measure from beginning to end. The best plan would have been to have referred the subject to the consideration of a commission of eminent persons thoroughly conversant with the criminal law, and who would have immediately known what were the precise parts of the existing law which it was desirable to retain. When so many statutes were swept away, the probability was, that, in the new measure, provisions might be omitted which it would be most expedient to preserve.

Leave was given to bring in the bill.

HOUSE OF COMMONS.

Tuesday, May 22.

COURT OF CHANCERY—JURISDICTION IN MATTERS OF BANKRUPTCY.] Mr. M. A. Taylor, in rising to submit to the House his motion relative to the Separation of Cases of Bankruptcy from the Jurisdiction of the Court of Chancery, felt himself called upon to occupy the attention of the House at some, though, he trusted, at no very protracted, length. Often as he had advocated this question before the House, he felt that he should be unable to discharge what he considered to be his duty to the public, unless the House would lend him its serious attention. Questions of this nature were not, in general, very palatable to the House, because they did not afford any opportunity for the display of eloquence, or for the introduction of such topics as were calculated to contribute to the amusement of the House. He wished particularly to impress upon the minds of honourable gentlemen the nature of the measure which it was his intention to introduce, and upon which he meant to take the sense of the House. The question was one of no ordinary importance; it was not a question of an isolated character, but a question in which the whole body of the people of England was deeply interested. He was satisfied that, without some such reform in the business of the court of Chancery as that which he should submit to the House, all attempts to relieve the suitor would be ineffectual. He had been repeatedly told on former occasions, in bringing the subject before the House, that, to recommend to the House any reform of the business of the court of Chancery was to pronounce a libel on the character of the Chancellor. "Let the good man," it was said, "who holds the office of Chancellor, live out his time; and then, if you will, reform the court." Such was the language which was formerly urged against proposed forms of the court of Chancery. He had yet to learn whether, after the changes which had lately taken place, he should be supported in his attempt to introduce reform. At any rate, he would do his duty, and let the government do theirs. The whole truth should be fairly stated. If the system still worked ill, its defects should be still exposed; for it was absurd to say, that new brooms would sweep better than the old, and that, therefore, there was no necessity to introduce reform. The question which he was about to bring under the consideration of the House was not one of a complicated nature. He should, in discussing it, appeal to the plain common sense of honourable members. Cases of Bankruptcy were not originally appended to the great seal; they were appended to it by statute, as the jurisdiction in cases of lunacy had been added by a special mandate. To men of plain intellect like himself, it was perfectly clear, that the individual filling the office of Chancellor had more to do than human power was capable of performing, and that the wisest course would be to rid him of an appendage to his office which was not of the essence of the great seal. There would be no difficulty in selecting a person to discharge
with efficacy the duties of which he proposed to relieve the Chancellor. He was sorry that he did not see a right hon. gentleman in his place, whom he should have reminded, if he had been present, of an expression which had fallen from him on a former occasion. He begged to say, that he never quarrelled with men for changing their opinions: all he did was to defend his own opinions; and on this occasion he might be permitted to say, that some of the greatest men who had ever adorned this country entertained the same opinions. It was certainly with some astonishment he had heard that the motion he intended to make that night was to be opposed. That motion was merely, that the House should resolve itself into a committee, to take into consideration the statute of the 18th Elizabeth, and such subsequent statutes as gave to the lord Chancellor jurisdiction in matters of bankruptcy. He had often had occasion to bring this question before the House, to expose the delays of the court of Chancery, and to endeavour to introduce some reforms calculated to benefit the suitor; but he had always been met by the assertion, that the introduction of such questions was an attack on the character of the Chancellor. No man could entertain a higher respect than he did for the great and splendid talents, and the profound legal knowledge, of the late Chancellor; but he had often felt surprise, that, when that learned person saw every day before him the mischief resulting from the state of the court of Chancery, he had made no attempt to reform the abuses of the existing system. He trusted that if he did not succeed in his motion to-night, he should succeed on some other night; for he was determined not to abandon the question. There were some gentlemen in that House who were disposed to attribute all the evils arising from the court of Chancery to one man, and others who entirely differed from them in that opinion. For his part, he stood upon his own opinions; and he thought they were not to be told, at this time of day, that parliament ought to wait because there was a new administration, and a new judge of the court of Chancery. It should be recollected, that no effectual step had yet been taken to reform the court of Chancery. None of the recommendations in the Report drawn up by his lamented friend, sir S. Romilly, had been adopted; and the country had little reason to place any confidence in promises of reform, unless parliament determined to carry such promises into effect. Towards the noble lord who now filled the office of lord Chancellor, he had no feeling but one of kindness. He had no doubt that, raised and elevated as he had been to that high dignity, and aware as he must be, of the ruin and distress which had been occasioned by the existing system—ruin and distress which in many cases that he could detail, were enough to make a man's heart bleed—he would, at the first blush, think of improvement; but he might also think of the profits arising from cases of bankruptcy. The present Master of the Rolls, a particular friend of his, had, by his eminent services in the office of Vice-chancellor, assisted by the exertions of sir William Grant, while he remained as Master of the Rolls, contributed, in a great degree, to preserve the character of the court. He was convinced, indeed, that if it had not been for their efforts, the court of Chancery could not have gone on; and he believed there was not one of the late appointments or elevations which had given greater satisfaction, than that of the promotion of that learned person to the Rolls. He contended, however, that the delays of the court of Chancery took their date long previous to the time of lord Eldon. Many persons supposed they were owing to the conduct of solicitors, but he knew that the body of that profession had several times attempted to remedy the evil.—The hon. gentleman then entered into a defence of the conduct of the solicitors of that court, and related some circumstances connected with their efforts to amend the practice. About three years ago a commission had been appointed to inquire as well into the best means of remedying the delays of that court, as into the question of what part of the business could be withdrawn; and, after two years' investigation, the learned person, now elevated to the dignity of lord Chancellor, introduced a bill into that House, founded upon the recommendations of the Report. That bill, however, thus founded upon the recommendations of that commission, contained propositions and clauses so absurd and ridiculous, that no member of that House, who had any common sense, could be found to support it; and, after a short time, it was withdrawn under a pretence of the late period of the session. On the 11th of March, 1813, when he had brought
forward his propositions upon the subject of the Vice-chancellor's bill, the right hon. gentleman (Mr. Canning) declared, "it seemed to him most advisable, that some amendment should be proposed, which might tend to relieve the Chancellor, by stripping his office of some great limb of its ordinary business. There was no part of that business the abstraction of which would be liable to less objection than that which was not of the essence of the office, but only superadded to it by statute."

He had consequently stated, on a former occasion, that, if any one proposed such an amendment, and if the House adopted it, he should support the bill with his vote. The right hon. gentleman having expressed those opinions upon the subject then, he called upon him to support them now; and he, at the same time, hoped the whole administration would step forward and give him their support, in compliance with the unanimous expression of the feeling of the country. He had conversed with all classes, agricultural and commercial, and he was bound to say, that they all viewed the delays and evils of the court of Chancery in the same light. They declared, one and all, that the court of Chancery produced such inordinate expenses, and such vexatious delays, that it amounted almost to a high misdemeanour in the government to suffer their continuance. As a proof of the opinions entertained by commercial men on the subject of the present administration of the Bankrupt-laws, he would beg to refer the House to a Report made in March last, by the committee appointed by the common council of the city of London, to inquire into the state of the law and its influence upon the interests of trade. As that Report had not yet been published, and members of the House could not be supposed much acquainted with its purport, he would take leave to read an extract or two for their information. The Report states, "that the committee having been appointed to take into its consideration the propriety of presenting petitions to both Houses of Parliament for constituting a regular tribunal for the administration of the Bankrupt-laws, certify to the court, that, after having procured copies of the opinions of many professional men, and the evidence of some of the most respectable merchants, bankers, and traders, in the city of London, and having corresponded with some of the most respectable merchants and traders in Liverpool, Gloucester, Bristol, Manchester, and elsewhere, as well as with the most eminent barristers, solicitors and commissioners, in those towns; and that, after having considered their evidence, annexed to the Report, and looking to all the information they had received on this most important subject—they are fully of opinion that the present state of the Bankrupt-laws, as now administered in this country, is totally inconsistent, and at variance with the intention and meaning of the original constitution of those laws; and that the present system of the administration of the Bankrupt-laws falls short of the necessities required by the commercial interests of this country; and that, after having witnessed the nature of the administration of the law by the court of Commissioners, they are strongly of opinion, that the Bankrupt-law requires speedy and material alteration." The expression of such opinions, the hon. gentleman observed, connected with and supported by such testimony, from all classes of society, rendered little observation necessary from him with respect to the necessity of the separation he required of bankruptcy from the great seal. — The hon. member then adverted to the opinions expressed by sir Samuel Romilly upon the subject of the secretary of bankrupts not being an accountable officer; and read, from the Report of the Chancery Commission, of which he was chairman, a passage in sir Samuel Romilly's own handwriting, relative to the inexpediency of suffering the lord Chancellor to derive, as he did at present, a great portion of his emoluments from the fees received by officers, while he did not acknowledge that he so received them. The consequence of such a proceeding was, that if the officer took a larger fee than he was entitled to, the Chancellor, upon an appeal to him, was compelled, as a judge, to pronounce an opinion, in a case where he was directly interested. These fees, if they were necessary to compose a salary to the lord Chancellor, it was then proposed to abolish altogether, and to increase the Chancellor's salary by a sum equal to their amount; for it never could be supposed, that the highest officer in the kingdom was to be supported by what might be considered nothing short of a tax upon distress and insolvency. If he wanted any argument for a separation of these duties of the Chancellor, he thought
this part of the fees taken by the secretary to be sufficient. Lord Thurlow had settled the reversion of the office upon an infant; and whether lord Eldon had given it to his son or not he did not know, but he thought it disgraceful to the country, that so much money should be paid when no work was done.

Two objections had been raised to separating the bankruptcy business from the great seal. The first was, that a considerable degree of ability and legal experience was required for bankruptcy; and the next objection was, that the time of the judges would not be sufficiently employed, if that business was separated from the great seal. The hon. member then referred to the Chancery Report, and read various extracts, tending to show the time which was occupied by the court of Chancery in disposing of questions connected with bankruptcy. If they would look to the state of the Bankrupt-laws in this country, and consider the numerous intricate questions that grew out of them, they would find that bankruptcy cases alone were sufficient to occupy the whole of any judge's time. With respect to suits in Equity, as the system had formerly gone on, there was a nominal, but, as it appeared to him, no real, appeal; for that could not be called an appeal which merely brought a case decided by an individual in one place, before the same individual in another. Would it not, then, be proper, where there were thousands and tens of thousands of pounds depending, to appoint an individual, to whom an effectual appeal could be made? When an arrear of business was formerly complained of, it was asserted, that it could not be got through without the assistance of two judges. There were at present two judges sitting, besides the lord Chancellor; yet the arrear, to a certain extent, continued. Why, then, should they not have a judge permanently established, for the purpose of deciding in bankruptcy cases? An individual placed in the department would have sufficient, and more than sufficient, to do. That there was a great evil in the system was clear; and why that evil should be continued, it was impossible for him to imagine. It ought to be remedied; and that, too, without delay. Could any person assert that the practice of the court of Chancery, for some few years past, was not such as to extort the disapprobation of every thinking man in the country? He did not mean to blame the late lord Chancellor; but he certainly did cease the system. He felt, to use the language of Mr. Shadwell, that no three angels could discharge the onerous duties of the office of lord Chancellor, as it was at present constituted. Under these circumstances, he was perfectly convinced, that the separation of bankruptcy cases from the jurisdiction of the great seal would give the highest degree of satisfaction to the country. If gentlemen did not feel the miseries which was inflicted on those unfortunate persons who became suitors in the court of Chancery—if they did not commiserate those who suffered under the existing system of delay in that court (delay occasioned by multiplicity and variety of business), then he feared that nothing which he could urge would convince them of the necessity of separating the bankruptcy cases from the jurisdiction of the lord Chancellor. He called for inquiry; and, where so prominent an evil appeared, he trusted that the House would receive favourably the motion which he was about to submit to their consideration. In the view he had taken of this subject, he might be mistaken; but he had the consolation to know, that, if he erred, he erred with the public at large. Those, however, who might attempt to keep up the present system, would, he believed, in the end find themselves in error; and that error should be pointed out and exposed, if he had life. In his opinion, the government ought to take up a subject of such immense importance, and thus relieve a private individual, like himself, from bringing it forward. It was admitted, that his views on the question were generally correct; and he felt, most decidedly, that a greater boon could not be bestowed on the country, than the separation of the jurisdiction in bankruptcy cases from the great seal. Such an act would do the government honour, and would, in a very eminent degree, benefit the nation. Whether, however, the government did or did not take that course, nothing should deter him from taking the sense of the House now, and at all other convenient times, on this important question. The hon. gentleman concluded by moving, "That the House resolve itself into a Committee of the whole House, to consider of the statute of the 13th of Elizabeth, and such subsequent statutes, as give to the lord High Chancellor of England jurisdiction in matters of Bankruptcy."
The Attorney-General said, that he should not be doing justice to his own feelings, nor to the character of his hon., and learned friend, if he did not acknowledge him to be one of the most zealous, consistent, and persevering, advocates for a revision of, and an alteration in, the practice of the court of Chancery, that had ever appeared in the House of Commons; and though it was not his good fortune to agree with his hon. and learned friend, generally, in his view of the question, yet he thought the public were under great obligations to him, for bringing a subject of this nature before the House, and he doubted not that its discussion would be found advantageous. If he could perceive that any practical object was likely to be gained by the House resolving itself into a committee, he should not be disposed to offer any opposition to the motion. But his hon. and learned friend had not alluded to any specific plan which he meant to submit to the committee; and therefore he conceived the motion, having no clear and distinct ulterior object in view, was unnecessary. If his hon. and learned friend had demonstrated some plan — if he had pointed out some tangible proceeding—which the House was likely to adopt, after it had been examined, that would have been sufficient to induce him to withhold his opposition to the motion; but, as he was satisfied, so far as his own opinion went, that no such thing would emanate from the committee, he felt it to be his duty to oppose the proposition of his hon., and learned friend. His reasons for that opposition were very short. The arguments which he had to offer, and the facts that he had to state, in support of his view of the case, lay in an extremely narrow compass, and he hoped to dispose of them very soon. He had always thought that they ought not hastily to make places to fit particular men, but that they ought to find men to fit particular places. His hon. and learned friend would recollect that this was one of his (the Attorney-general's) arguments against making alterations in the court of Chancery — alterations which had, from their nature, the effect of imposing additional burdens on the public. He had not the honour of being a member of that House at the time the Vice-chancellor's court was the subject of discussion; but the same objection was then made by the learned gentleman who afterwards filled the situation of Vice-chancellor, to the attention then proposed. In considering this question, it was not his intention nor his wish to make allusion further than the case required, to the late lord Chancellor. No individual who knew that noble lord, could speak of him without feelings of respect, both as a man and as a judge. His hon. and learned friend had stated, that if any thing more than another was calculated to produce dissatisfaction with the proceedings in Chancery, it was that constitutional caution, that slowness of decision, which amounted to delay; and which, in its practical effects on the suitors of that court, while it gave satisfaction to some, created dissatisfaction and discontent amongst many. Now, if there should be found in an individual placed in that high situation any peculiar excess of caution (which was in itself a laudable quality) that gave dissatisfaction, it did not follow that they must, of necessity, resort to a multiplication of judges, and to an entirely new-modelling of the court. That, he feared, would not cure the evil. The very learned and eminent individual who was the second Vice-chancellor, sir J. Leach, had expressed the same opinion in that House; and the truth of that opinion was afterwards fully illustrated.—He should now proceed to state a few facts, from which he would deduce this inference, that, with three efficient judges (and such they had) there was not the least necessity for subtracting from the court of Chancery any part of the jurisdiction which it now possessed; nor would the public have any cause to complain, that the bankruptcy cases were not separated from the great seal. He did not mean to say, that if the legislature chose to disjoin these powers, no person could be found adequate to the fair adjudication of bankruptcy cases: he entertained no superstitious fear that they could not find an individual calculated to perform the functions of a separate judge in those cases; but, before they adopted such a course of policy, he thought it was necessary that its expediency should be established. He should now advert to the business in the court of Chancery during the last year. He should take the whole of the cases of all descriptions, and then point out what the late Vice-chancellor had done to relieve the court from the burden by which it was pressed. His hon. and learned friend, as well as many other hon. members, well
knew the course of practice in Chancery; but, as it might not be equally well known to all, he should briefly describe it. The first proceeding in a case was by bill and answer. When the case was heard, in the first instance, it might be ordered for further hearing; sometimes on exceptions to the bill, sometimes on exceptions to the answer. Besides these protracted cases, there was a considerable number which were disposed of very shortly. With respect to motions, there had been no complaint of delay, until within the last two years, when, from circumstances to which he need not call the attention of the House, considerable delay had occurred.

Now the number of cases set down in the court of Chancery during the last four terms stood thus:—Original cases, three hundred and twenty-two; cases of further direction and exception, seventy-six; cases of exception, thirty; pleas and demurrers, forty-five. He next came to the Master of the Rolls, in whose court there was set down—of the first class of cases, two hundred and fifty-eight; of the second, ninety-eight; of the third, seventeen; and none of the fourth. The total amount was five hundred and eighty original cases; one hundred and seventy-four cases for further direction and exceptions; forty-seven cases of exceptions; and forty-five pleas and demurrers. This he would take to be the average number of cases that were to be disposed of in the course of a year. The question then was, what number of cases was one judge capable of getting through in the course of the year? In answer to that, he would call on the House to look to experience. The late Vice-chancellor had, during the four years which preceded his severe illness, disposed of a great variety of cases. He (the Attorney-general) had taken the average, so as to give a correct idea of the number which that learned gentleman had decided in one year. From that calculation it appeared that sir J. Leach, the late Vice-chancellor, had, in one year, disposed of four hundred and fifty causes of the first class; two hundred and twelve of the second and third; and seventy-nine pleas and demurrers. So that, if they deducted from the number of cases of all kinds set down, in the last year, before the lord Chancellor and the Master of the Rolls, what the Vice-chancellor had been able to decide upon in the course of a year, they would find the result to be, that it only left one hundred and thirty causes in the first class, nine in the second, and none in the third. Now, could any man suppose, if one individual was capable of going through such a mass of business, that two learned judges were not able to manage a much greater portion? These cases were regularly set down before the lord Chancellor or the Master of the Rolls. The Vice-chancellor, who was a sort of supernumerary judge, took the overflowing of the practice in the other courts. He now came to the cases in bankruptcy, to which his hon. and learned friend had stated that his argument chiefly applied. He should take the average number of bankruptcy cases for the three last years. From this it appeared, that there had been in each of these years, five hundred and ninety petitions in bankruptcy cases. To this point he called the particular attention of the House, because it had immediate reference to the nature of the jurisdiction which his hon. and learned friend wished to sever from the court of Chancery. Let the House, then, look to what the Vice-chancellor had done during the last four years. He would not, on account of that learned gentleman’s illness, refer to an anterior period. The Vice-chancellor had, on the average, disposed of four hundred and fifty-three bankruptcy petitions, in each year, during that period. Deduct that number from five hundred and ninety, and it left one hundred and thirty-seven petitions to be disposed of by the Chancellor. He had already shown, that the Vice-chancellor had, in one year, disposed of cases, in the first class, to which he had before referred, so as when deducted from the average total number set down, to leave only one hundred and thirty for decision; and not more than nine in the second and third classes. This was not more than an active judge would dispose of in a term; and yet these remained through the year. What had been the progress of business in the Vice-chancellor’s court, when the late Master of the Rolls recovered his health? There were, at that time, four terms in arrear: so that, when he returned to his professional duties he found that there was a considerable accumulation of business. To meet that arrear, the vice-Chancellor began by reducing it, in the proportion of one term each year; so that, in the second year, there were only three terms in arrear; in the third, two; and at present he be-
lieved the arrear was very trifling, and would in a very short time be wholly removed.—He had now given a simple statement of the business in Chancery. If his hon. and learned friend asked him what was the reason of the delay in deciding the remainder of the cases, he must beg leave to decline answering that question. He was merely stating a series of facts: and it did not make against his view of the subject, if it happened that a particular judge finished, in the course of a term, only two cases, perhaps but one, or sometimes not even one. The question was, whether it was necessary (when they had three judges, of one of whom they had had full experience, and with respect to two of them they had no reason to despair) to re-model the court of Chancery, and to place additional burdens on the public? In his opinion, the judges whom they had at present were more than equal to do the whole business of Chancery. He admitted that the lord Chancellor had to attend to lunatic petitions, and to appeals in the House of Lords. But with respect to lunatic petitions, if they would look even to those which found their way on the papers, they would not amount to more than ten or a dozen in the year. The quantum of labour was not so very considerable; and a Chancellor, with the benefit of youth, health, and activity, would be able to accomplish all that his office required. It was in the contemplation of the present lord Chancellor, assisted as he was by the experience of those gentlemen who practised in his court, to apply himself to the introduction of some mode by which the voluminous proceedings in cases of bankruptcy might be abridged. Such a plan would be attended with the best effects; for at present those proceedings were extended to a length hardly conceivable. Let this experiment, then, be tried, before they proceeded to a new field—before they attempted to re-model the whole form of the court of Chancery. He was happy to state that such a plan as he had adverted to was in contemplation; and he felt most confidently, that it would succeed. They must all know, that the court of Chancery was in the habit of receiving affidavits, answers, replies, rejoinders, rebutters, and sur-rebutters, to an almost endless extent. This was a great defect in that court; and he believed that, from an over-anxious feeling on the part of the late lord Chancellor (which, God forbid he should impute as a fault to that individual) it was carried entirely too far. That learned lord, from an over-anxiety that nothing should be left undone that would give satisfaction even to the losing party, allowed the greatest latitude to this system. He thereby imposed great labour on himself; while those who thought that a court of justice should be a court of decision, and not of doubt, were dissatisfied and discontented. Any measure which tended to check this expensive accumulation of documents would be a very great improvement in the constitution of the court. His hon. and learned friend had asked, what had become of the bill which the present lord Chancellor had introduced, founded on the report of the Chancery commissioners? He begged to remind his hon. and learned friend, that the bill was not brought in during the last, but in the present session, when the lord Chancellor held the situation of Master of the Rolls. That learned lord gave notice of his intention to bring in a bill, and he introduced it with an elaborate speech, but not until the month of last November. Now, if the House would permit him, he would state, that in his opinion, the bill in question would always disappoint the public. He did not disagree with the commissioners on any material point; and he approved of many of their suggestions, though not of all: but he certainly felt, that, to make those suggestions the subject of a cumbersome bill in parliament, was a proceeding not only useless in itself, but one that would disappoint the public. The present lord Chancellor, who was only the organ of the commissioners, felt, he knew, as he (the Attorney-General) felt on that question. The present lord Chancellor was of opinion, and it was his opinion also, that the specific points of improvement noticed in the report of the commissioners, did not require any act of parliament for carrying them into effect, but might be made by the authority of the lord Chancellor in his own court.—He knew nothing further about the bill. He was not aware that the learned lord who introduced it had requested any other individual to take it up. He put it to his hon. and learned friend, whether, under the present circumstances of the government and the country, to which he would not allude more particularly, it would not be more decorous to pause before he called upon the House to take this matter, important though it was, out of the hands
of his majesty's government. He owned that the motion of his hon. and learned friend would appear to him, even though he were to approve of it much more than he did at present, to be premature, and uncalled-for, under existing circumstances. He felt no alarm lest the duties of the court of Chancery should be found too great for the performance of the head of that court and the two learned judges by whom he was assisted. He knew that sir S. Romilly had given it as his opinion, that the lord Chancellor did not even require the assistance of the Vice-chancellor; and he could say, of his own personal knowledge, that though that great and illustrious man might have lent himself to the forwarding of improvements in the practice of that court, he had never deemed it necessary to give additional assistance to the lord Chancellor for the discharge of its business. His hon. and learned friend had referred to the evidence taken before the Chancery commission, in order to show that the commissioners were of opinion, that the lord Chancellor did want assistance. He by no means intended to dispute the honesty of those who had given evidence before that commission, and least of all the honesty of that gentleman who had declared that three angels could not perform it. He (the Attorney-General) was of opinion, that when they had infused fresh vigour into that court, and had introduced more celebrity into its proceedings, the business of it would be performed, not only by three angels, but by three men of ordinary talent and industry. He had now stated the grounds on which he intended to oppose the motion of his hon. and learned friend. He received what his hon. and learned friend had said upon this occasion, as he did upon all other occasions, with the most perfect conviction of his honesty and sincerity. He differed from him with great pain, as he had always been accustomed to look up to him as a sort of authority upon this question. But he was sure that his hon. and learned friend would do him the justice to recollect, that from the very first moment in which the subject had been mooted in parliament, he had always differed from him as to the propriety of giving additional assistance to the lord Chancellor; and it was upon that ground principally that he felt bound to meet the motion of his learned friend with his decided opposition.

Mr. D. W. Harvey commenced his observations by complaining of the inconsistency of the professional gentlemen on the other side of the House, who now declared that bill to be utterly worthless and unsalving, which they had formerly praised as calculated to remove most of the delays and grievances to which the unfortunate suitors of the court of Chancery were exposed. He wondered what new light had beamed upon their understanding, and made them see no importance in the various recommendations which had been proposed by the Chancery commissioners. The whole mischief in the administration of the bankrupt laws was now to be got rid of, not by legislative enactments, but by a few regulations, to be made by lord Lyndhurst and the two learned personages who assisted him in that court. He deemed it quite impossible that such a crying grievance could be so removed; and he corroborated his opinion by reference to that of lord Eldon. The real nature of that evil was felt by his lordship when at the bar, and was expressed by him when he took his seat on the bench:—"The lord Chancellor took the first occasion of expressing strong indignation at the frauds committed under cover of the bankrupt laws, and his determination to repress such practices. Upon this subject his lordship observed, with warmth, that the abuse of the bankrupt laws is a disgrace to the country, and it would be better at once to repeal all the statutes than to suffer them to be applied to such purposes. There is no mercy to the estate; nothing is less thought of than the object of the commission. As they are frequently conducted in the country, they are little more than stock in trade for the commissioners, the assignees, and the solicitor. Instead of solicitors attending to their duty as ministers of the court, for they are so, commissions of bankruptcy are treated as matter of traffic. A taking out the commission; B and C to be his commissioners. They are considered as stock in trade, and calculations are made how many commissioners can be brought into the partnership. Unless the court holds a strong hand over bankruptcy, particularly as administered in the country, it is itself accessory to as great a nuisance as any known in the land, and known to pass under the forms of its law." He wished the House to attend to the opinion which lord Eldon
had here expressed, as his (Mr. D. W. Harvey's) object was not so much to discover bankruptcy from the great seal, as to simplify the administration of the bankrupt laws, and to prevent a commission of bankruptcy from becoming what lord Eldon had styled it—a stock in trade to professional gentlemen engaged in it. He was sure that every gentleman who had paid the slightest attention to the evil of the present system would see the necessity of altering it immediately; and he thought that the alteration might be comprised under a few short heads. The first thing which he would have done would be, to provide for the publication of the bankrupt's insolvency at the very earliest period; the next would be, to collect the remnant of his shattered fortunes with as much celerity, and at as little expense, as was practicable; the next would be, to divide that remnant, as soon as collected, amongst his creditors; and the last would be, to reward him with a small portion of the property so recovered, wherever his insolvency had sprung out of inevitable misfortune, and to punish him wherever it had arisen from dishonesty of principle or extravagance of conduct. He did not know that bankruptcy could be defined more simply than it was at present; nor was he certain that the principles of the law could be much better arranged. But, with regard to the mode of its administration, nothing could be more injurious and absurd. He did not wish to speak with any personal disrespect of any one of the seventy-two gentlemen who now officiated as Commissioners of Bankrupts; but he must say this, that a more incompetent tribunal than that which they formed could not easily be imagined. The commissioners consisted of two classes of individuals: the first were young men of no experience, to whom the possession of 3 or 400l. a-year at the outset of life was a matter of importance; indeed, it was a sort of apprenticeship fee to experience, with this remarkable circumstance attached to it—that they received, instead of paying it. The first, he repeated, were young men, frequently of great promise, and generally backed by great parliamentary influence: the second were often men who had mistaken their talents, and, after spending half a century in a briefless condition in the court, received the appointment, as a means of soothing their decline of life, and of saving them from distress and penury. It was his firm belief, that what between capacity with inexperience on the one hand, and experience with incapacity on the other, there were not more than five or six commissioners out of the seventy-two who were able to discharge their duty as they ought to do. He wished that any of the hon. gentlemen opposite would go down to Guildhall; because he was certain that they would see the necessity of supporting any measure which tended to the removal of such a nuisance as the existing tribunals in bankruptcy. There were fourteen petty courts, in each of which there were five commissioners, of whom three must necessarily attend to transact the business. These commissioners were not paid, as they ought to be, by permanent and adequate salaries, but by fees, arising from their ingenuity in making out business for themselves, to the injury of the bankrupts' creditors. The manner in which they ran after their fees—the impatience with which they looked at their watches to provide against their staying longer than their two hours—and the anxiety with which they sought to pocket another guinea, by deviating another meeting in Quality-court, was one of the most disgusting scenes that any professional man could witness. He had no hesitation in saying, that this mode of administering the law was not more disgraceful to those who were engaged in it, than it was injurious to the suitors whose property was at stake. There were generally twelve or thirteen causes under each list, and scarcely any two of those causes arrived at the same stage. At one moment, the commissioners had before them a creditor trying to prove a fraudulent debt; at another, a bankrupt undergoing his final examination; and, at a third, another bankrupt claiming his certificate. All these cases—different and difficult as they were—were to be decided within two short hours, amid the clamour of a court, where there was no presiding judge, nor guiding rule. He did not know of any terms sufficiently strong to express his abhorrence of so disgraceful a system. But, as Mr. Basil Montague, who was one of the ablest of the commissioners, had pointed out the mischief of it in very clear and able terms, he would adopt that gentleman's language for the expression of his own sentiments. "I now proceed," says Mr. Montague, "to the third defect, which is, the uncertainty attendant upon
this tribunal. In London there are seventy commissioners in fourteen lists; each list unconnected and independent of the other; the practice, in some respects, varying in all of the lists, and the law in many of them; and, from the nature of the tribunal, in most of them, unless there is considerable professional exertion. With respect to their uncertainty in their judgments, when it is considered, that in London there are fourteen different tribunals, and perhaps double their number in the county, and when each of these tribunals is composed of members who cannot be constant in their attendance, and who are continually fluctuating, there must, of course, be occasional opposite decisions, not only by different tribunals, but even by the same tribunal." Such was the description of the court which the hon. and learned member for Durham now called upon them to correct, and which he had never yet heard defended by any person who was at all conversant with its proceedings.—It had been said by the hon. and learned gentleman who had been recently exalted to the office of his majesty's Attorney-general, that no plan had yet been suggested for its correction. Now, though an individual might not point out the very best plan, still, if he ventured to guess one, he could not, by any perversion of ingenuity, stumble upon a worse plan than that which existed at present. To cut away that argument from the hon. and learned gentleman, he would venture to suggest the following plan:—That instead of there being seventy-two judges, of whose one half were inexperienced from youth, and the other imbecile from age, there should be five judges with liberal salaries, whose time should be exclusively given up to adjudications in cases of bankruptcy. Instead of there being fourteen courts, with five judges in each, there should be five courts with one judge in each. The bankrupt causes should be brought under his notice individually; and, so well were the principles on which those cases were determined understood by commercial men, that he would venture to affirm, that there would very rarely be any appeal from the decision of that individual judge. In cases of appeal, however, he should suggest that the appeal, instead of being made to the lord Chancellor, should be made to three out of the five commissioners; and then, if the parties were still dissatisfied, should be from the three commissioners to the lord Chancellor. Under such regulations he would venture to predict, that there would not be ten appeals in the year. Whilst he was upon this subject, he was very desirous to explain to the House a statement which he had made upon a former occasion. He had then moved for the production of several documents which were calculated to illustrate the amount of the fees received in the last year by the lord Chancellor. The hon. and learned gentleman who now sat below him (Mr. C. Wetherall) had extended his motion from one year to the last fourteen years, on the ground that the last year was a year of great pecuniary distress, and was therefore not a fit criterion to judge by. Those documents were now upon the table, and he called upon the House to consider what they contained. He had formerly astounding the House, by stating, that the fees arising from the sub-division of the practice in bankruptcy during the last year amounted to £2,015£. 1s.; and it now appeared, by the documents for which he had called, that they amounted to £2,212£. 11s. 2d. He alluded to this circumstance now, because it had been insinuated, that he had declared that all those fees found their way into the lord Chancellor's pocket. He knew very well at that time, that the whole amount of them did not go to the lord Chancellor; but he certainly thought a much larger portion of them found their way to his lordship than he now found did: for who could have anticipated, that 10,812£. would have been received by a person who obtained his appointment when an infant, and had been in the receipt of them ever since? He recollected the remark which was then made by the hon. member for Callington; and it was so deserving the attention of the House, that he would venture to repeat it. "It was indifferent," said the hon. gentleman, "by whom such a sum was received, but it was monstrous that the law could not be administered, without incurring an expense of more than 30,000£. in one small branch of it." It would appear, from what had fallen from his majesty's Attorney-general, that, in the ensuing recess, the noble lord who was now at the head of the court of Chancery was to concoct a small, neat system of bankrupt laws, which was to put an end to the ruinous expense complained of; and was to devise some intelligible code of
that the country was to be so deluded, they were deluding themselves, and would discover their error when, perhaps, it was too late. Though there were some questions which might be deferred without injury to the public interests, the present question was not one. It was his opinion, that, if the new administration had not been formed, the bill which the present lord Chancellor has introduced into that House, for the improvement of the court of Chancery, would have been carried by acclamation. But now that it was formed, parliament was told, that it was a useless measure; that scarcely one of its provisions was advantageous; that the one hundred and eighty-eight propositions of the Report, which had a hundred and eighty-eight eulogists, were to be abandoned; and that all that was necessary to simplify the court of Chancery was for the lord Chancellor to make certain regulations, under which all expenses and delays were to cease. If any man had a judgment so weak as to place confidence in such a statement, he thought that he ought to be placed forthwith under another branch of the lord Chancellor’s jurisdiction—he meant the jurisdiction in lunacy. The system, he repeated, must be reformed. It was full of abuses; and those who now undertook to defend them had, not many months ago, poured forth against them torrents of fiery indignation. He could not subscribe to the eulogies which had that night been passed upon the disinterested feelings of the gentlemen of the bar; but, as he should have another opportunity of expressing his opinions upon that subject, he would not enter into it further at present. He held in his hand a document, which justified the House in proceeding warily with professional reforms proposed by professional men. It was a tabular view of the offices of the court of Chancery; from which it appeared that, out of three hundred and ninety-eight officers belonging to that court, all but twelve were in the appointment of the lord Chancellor. When such was the case, he thought it was evident that gentlemen who were still engaged in the active duties of the profession were not likely to be the most active and impartial correctors of abuses. A commission of inquiry, to be thoroughly useful, should consist of counsel and solicitors who had retired from business, and who, by their experience and independence, would be able to understand
the bearing of the different grievances and remedies which might be brought under their consideration. Such a commission would have full employment in this country for some time; for, sorry was he to say it, fraud and law were in England synonymous terms. The country, he repeated, was law-ridden [a laugh]. He used the expression advisedly; for what else could be said of a country which had six thousand certificated attorneys, each of whom, upon an average, received 1,000l. a year? The House would see from that statement, that 6,000,000l. of money were annually expended in law. If the hon. and learned gentlemen had not changed their principles with their seats, they would see that something more than a mere change of men was expected in the court of Chancery. A change of system was also requisite; and, unless it was effected, before long they would have nothing to congratulate either themselves or the country upon in the ensuing session of parliament. The hon. member concluded by supporting the motion.

The Attorney-General said, he could not have supposed that there was any man whose mind was so weak, and whose judgment was so slender, as to believe that he could have said that a change of men, and not of measures, was all that was required to sweep away the abuses of the present system of the court of Chancery. He had not said that a few regulations would sweep away those abuses; nor had he said, that the aid of the House of Commons would not be asked to effect that desirable consummation. He had never thought of entering that night into the general question of the court of Chancery. He had confined himself simply to the question before the House, and that was—ought the business in bankruptcy to be severed or not from the jurisdiction of the great seal?

Mr. G. Bankes denied that the commissioners of bankrupt were young men without experience, or old men without practice, or that they were appointed either from parliamentary influence, or from motives of charity. In the list to which he belonged, there had been three vacancies within the last year, and they had all been filled up by individuals, against whom it was impossible to make any exception. He was sorry to say, that, in the warmth of his eloquence, the hon. member for Chester was accustomed to go a little further than facts warranted him. He had himself admitted it in his speech of that evening, when he stated, that he had estimated at too high a value the fees received by the lord Chancellor in bankruptcy. He trusted that the House, when it reflected upon what had been said upon former occasions, and what had transpired that night, would acquit lord Eldon of having been swayed by any thing like a sordid love of money. If he opposed the motion of the hon. member for Durham, it was solely in reference to the time at which it was brought forward, and to the declaration of lord Lyndhurst, that he had in his breast several propositions for the remedy of the grievances now existing in the court of Chancery. He wished that he could force an inquiry into the charges which had been brought, not only against the form of the tribunals in bankruptcy, but also into the manner in which they were conducted.

Dr. Lushington rose to express briefly his sentiments on this question, and he trusted that the House would allow him to trespass a little on its time, as he could not well avoid taking a part in the debate, considering that he had been a member of that commission which had been alluded to by the hon. member for Durham, not in the most respectable terms. He would state at once, that he rose to give his most decided negative to the present motion. He was convinced that it would not be advantageous to the administration of the bankrupt law, nor beneficial to the interest of the suitor; he was convinced that it would not diminish the expense of clearing away the various difficulties by which this subject was surrounded, if the House were to take from the lord Chancellor his jurisdiction, in the last resort, on this important question, and were to create another tribunal independent of him, and without appeal: for the same cases might come before the commissioners of bankrupt and the lord Chancellor, and thus they might have decisions in the law which were utterly irreconcilable. For these reasons, he could not agree to any plan which had a tendency to destroy what he conceived of infinite importance—an uniformity of decision, on all points relating to the property of the subject. That was his chief reason for dissenting from the hon. member for Durham, who wished to disaer questions in bankruptcy from the jurisdiction of the lord Chancellor.
But, though he entirely differed from his hon. and learned friend, he perfectly agreed with those who thought the question ought to undergo complete revision—who thought that the property of the subject was wasted by the expensive nature of the processes of the court—who thought the delays of the court of Chancery equally unnecessary and indefensible—who thought that the mechanism of seventy-two commissioners was one of the most absurd schemes that had ever entered into the brain of man. He knew that the existing system of bankrupt laws had produced evils in the metropolis, to an extent which it was deplorable to describe. He knew that the hon. member for Colchester had not exaggerated the fact, that not merely hundreds but thousands of individuals had been reduced to ruin, not because there had not been property to divide among them, but because it had been wasted by the maladministration of the law, which had been prostituted to the basest of purposes. He would never give up the opinion which he had formed upon this question. He acceded to every thing that had been said by the learned member for Peterborough; but he could not accede to what had fallen from the hon. member for Colchester, who had said that the commissioners protracted business at their different meetings, in order to put money into their pockets. Such was the evil, and such the iniquity of the present system, that he defied the commissioners to do justice by all their exertions. It was true, that no individual could hold a commission of bankrupt who was in great business. As soon as he got into that commission, he must either neglect his own business, or that of the commission on which he was placed. What could be so destructive of business as meeting for one hour, merely, on affairs of an intricate and complicated nature. He knew that another hour was sometimes given to them; but then, at the conclusion of the second hour, they must separate on account of their different private avocations. He was of opinion, that nothing could give to the merchants of the country proper security, except an entire revision of the subject, and the abolition of the existing list of commissioners. The hon. member for Colchester had suggested the erection of a Board of five Judges in their stead. Now, the hon. member must not be allowed to take the credit of that suggestion to himself. It had been discussed by the Chancery commissioners: all the difficulties which had occurred to the commissioners had been put in the shape of questions to the witnesses whom they examined, in order to see whether they could or could not be obviated; and the reason why the commissioners had not made a report on that subject was, because they were of opinion—erroneously as he thought—that bankruptcy was not one of the questions included in their commission. It was also thought, that the commissioners ought to examine how the time of the Chancellor could be saved. He thought that such a scheme would be abortive; and he had nobody on his side but sir Anthony Hart. With regard to the administration of the bankrupt laws, he knew that it was a pressing evil. He felt severely the obloquy to which he should be exposed, in case the report came forth without any proposition for its redress. If his hon. and learned friend, the member for Durham, would propose any specific measure to reform the administration of the bankrupt law, he would willingly support it; but to go into a committee of the whole House, to read the statute of queen Elizabeth, which not more than seven individuals would understand when read, and to read subsequently the other statutes in bankruptcy down to the present day, appeared to him to be a practice as useless as any the imagination of man could devise. What did his hon. and learned friend wish to have done? What practical good could he effect by his motion? Had he considered the period of the session to which they had arrived? Could any scheme that he might propose now meet with due consideration? On the other hand, was the House to wait throughout the session without claiming of the government some specific promise of reformation? He thought it was proper that the country should have some statement, in order that it might undergo discussion at present, and be submitted to the House in the next session of parliament. He was convinced that nothing but legal enactments could remedy the evil. It was therefore absurd to expect that lord Lyndhurst would devise a remedy for that which nothing but an act of parliament could remedy. He was of opinion that bankruptcy, in the last resort, ought not to be taken from the lord Chancellor. The bill which was brought in by lord Lyndhurst had been
since abandoned; and they had been told to wait until they could see what his lordship and his two coadjutors could do by the force of their own regulations. He was ready to give Lord Lyndhurst every confidence; but he must doubt whether any exertions which the noble lord might make, notwithstanding his advantages of being earlier in life, and more bold and fearless in disposition than his predecessor, could ever reduce the business of the court of Chancery within those limits of despatch and accuracy which were requisite to do justice between all parties. He was of opinion that much more must be done than his hon. and learned friend, the Attorney-general, seemed to anticipate. He was ready to wait until the next session of parliament; but, when it came, it would be necessary to lay on the table of the House forthwith, plans to alter the law of the court of Equity, and also that of real property; and, when those objects were attained by legal enactments, he entertained hopes, though he had also doubts, that the three judges would despatch their business with all requisite celerity. One thing above all others he deprecated. He deprecated any attempt to diminish, with undue celerity, the present number of arraignment. He did not say that Lord Lyndhurst would pursue that course of proceeding; but he hoped that nothing would be said in that House which would lead to an expectation that his lordship would do more than any man could do; for, if any such expectations were raised, it would be equally inconvenient to the public and to the noble lord. Let the noble lord proceed steadily in his course; and, if he should happen to find that the mass of arraignment was too great for him to put down, let him not be ashamed to confess it. He should conclude by stating, that he should always support any measure that tended to reform our jurisprudence, and that he conceived to be productive of public advantage. He was convinced that every branch of our law required to be investigated, and that alterations might be made in most of them, which would tend greatly to the public benefit.

Mr. Brothom requested that the original motion might be read from the chair. The motion was read accordingly. He said, he thought that such was the motion of the hon. and learned member for Durham, and he was persuaded, by the able and candid speech with which he had intro-

duced it, that his object was to moot, upon the present occasion, a question which he had often previously brought forward; namely, the propriety and expediency of severing bankruptcy from the great seal. The terms of his hon. and learned friend's motion embraced no larger scope. The argument on which he went, entered into no wider field; and he was not, therefore, surprised that his hon. and learned friend, the Attorney-general, confining himself strictly to the subject matter in debate, had only applied himself to answer the arguments of the hon. and learned member for Durham. He was, however, surprised to observe, that as soon as his majesty's Attorney-general had sat down, the hon. member for Colchester having acceded to the debate, went into a wider field—he would not say a less important one—which, whatever might be its merits, was not then under the consideration of the House. That the matter of the bankrupt laws was one of paramount importance, that they might be freed from all the intricacy and complexity which was predicated of them,—that they might require great revision, not only as to their principles, but also as to their mode of administration,—that the mechanism of seventy-two commissioners, which had been so much attacked, might be injurious, cumbrous, ill-contrived, and little calculated to produce the effects for which it was intended,—that many great reforms, and each of them important, might be introduced into the bankrupt laws, as regarded their administration, was a proposition which might be well founded, but was not the proposition which was then before the House. That proposition was exclusively this—and it was that to which his majesty's Attorney-general, and his hon. and learned friend, the member for Durham, had particularly addressed themselves, and on which alone he felt himself entitled to vote and speak,—shall bankruptcy be severed from the great seal? Shall the House, with a view of considering that question, resolve itself into a committee of the whole House on the acts, giving the court of Chancery that jurisdiction? That was not an unimportant limit of the debate: for though he did not, whilst he was in the House, hear any observations tinged with asperity affecting either of his two learned friends who had spoken on this question, yet, on his return from a temporary absence, he did hear remarks,
which could only, by possibility, be brought to bear on the conduct of his majesty's Attorney-general, by totally confounding the matter to which he had opposed himself, and by mixing it up with that wider inquiry which, on a former occasion, had occupied the attention of the House. He asked, what inconsistency there was to vote against severing bankruptcy from the great seal, which was all his learned friend did that night; even supposing that his learned friend had formerly voted for the adoption of changes in the court of Chancery? But he would ask, did his learned friend ever vote against the proposition which had been made that night? Did he ever say, that bankruptcy should be severed from the great seal? Why, the question was never mooted in parliament before that night. His learned friends had said, that the court of Chancery required investigation. Did they object to it now? They said, that they saw at the present moment reasons for not effecting the separation which the hon. member for Durham proposed. Was that a departure of their former principles? He had been told that night, that a wondrous change was now visible in various members of parliament—that they were all opposed to the changes in the court of Chancery, which they had formerly advocated most strenuously—that they had no objection to all the arrangements of the court, though they had formerly poured forth against them torrents of fiery indignation. Let the House mark the fairness of this attack. His hon. and learned friend, the Attorney-general, had said only one word upon this question. What torrents of fiery indignation came from his hon. and learned friend, either against the lord Chancellor, or the delays of his court, or the system of his court, or the arrears of business, or the invertebrate abuses which prevail in it, he was at a loss to divine. His recollection served him not on the point. He did not remember his learned friend bearing any permanent part in those debates; but he did know who bore a part in them—he himself bore a prominent, though an inadequate part. It had been assumed, for the purpose of attack,—not indeed by the hon. member for Colchester, but by those who cheered him,—that he (Mr. Brougham) had changed his opinions on that subject. How did they ascertain that his opinions were changed either on that or on any other subject? He called on the hon. member for Colchester to say on what measure of government,—on what chapter of policy,—on what affair of state,—on what part of the jurisprudence of the land—had his conduct, opinions, and principles changed. He demanded to know who they were that accused him of a change of principles. Let him and the House have charges. Let them have no more insinuations [great cheering]. For if there was a vile, mean, dirty, contemptible, mode in which slander could be lavished, it was that form of paltry insinuation, which skulked from the day, and defied investigation. As to the charge of changing sides in this House, some of those who had changed from his (the ministerial) to the other side had changed on 100 defined principles, if on any principles at all. But he would ask, whether those who had changed from the other side of the House to this—a movement which he knew would never be forgiven,—whether they had ever been called upon to alter an opinion, or to cancel a vote! On the question of severing the bankruptcy from the great seal, agitated upon a former occasion, he had charged with his right hon. friend both in the House and out of the House; and his opinion stood recorded upon the proceedings of the committee on the court of Chancery in 1811. That opinion was, that the Chancellor could undertake bankruptcy and the ordinary jurisdiction of Chancery; and now he was to be charged with acting contrary to the declarations he had uttered, and flying in the face of all the opinions he had ever given on the subject, if he opposed the motion of his hon. friend! What was his argument on the constitution of the court of Chancery? It had been said, by those who contended that lord Eldon was not to blame for the arrears in the court, that no man could get through the mass of business which had accumulated there. Why had it accumulated? Because, it was said, the business of the court had increased since the time of lord Thurlow and lord Loughborough. He (Mr. Brougham) replied, if the business had increased, the means of disposing of it had increased too, by the establishment of the Vice-chancellor's court. He begged to remind the House (for he was on his defence, and called on to prove the consistency of his opinions) that the Vice-chancellor's court had not had fair play. Instead of having an efficient Chancellor, Vice-chancellor, and Master of the Rolls,
there had always been either an unfit Vice-chancellor or an unfit Master of the Rolls, which left the court in the same situation as before the Vice-chancellor's bill passed. There was first, sir Thomas Plumer, Vice-chancellor, and sir William Grant, Master of the Rolls. He would speak of sir Thomas Plumer now, as he spoke of him before, with all possible tenderness and respect; but he must say of him now, as he said then, that if he asserted that sir Thomas Plumer was a man who could get through business, he should state what was contrary to the fact, and what every person who heard him could contradict. A most able and efficient judge succeeded sir Thomas Plumer as Vice-chancellor, a judge who possessed great talents; though he would not attempt a picture after others had bedaubed the canvas. Yet, at this time, an inefficient judge had been transported to the Rolls court, whilst there was an efficient Chancellor, and an efficient Vice-chancellor: thus, instead of three equity judges, there were but two. He had objected, in the life-time of the judge to whom he alluded in the Rolls court, who bedaubed many amiable qualities in private life and considerable legal talents, that he was transplanted, at the age of forty from a sphere in which his talents would have continued to adorn himself and his profession, to a situation for which he was not adapted. At that period of life, and coming from common-law courts, he was not likely to show many talents as an equity judge. His (Mr. Brougham's) argument was this—

"Do not tell me the system is in fault, when the men are in fault; give the bill fair play, and then consider of further alterations." Mr. Shadwell, when he was asked if three men could get through the business of the court of Chancery, had said, "No; nor three angels." Did he (Mr. Brougham) agree in this, as they must say who asserted, that he and his friends had changed their opinions? No; he said that angels, as well as gods, should not be called in, except to unite a knot worthy of an angel. He said, "Give us three human sublunary judges, able and willing to get through business; and, if they cannot get through the business of the court of Chancery, then it would be time to say the system was bad, and give more judges, and create more expense." He appealed confidently to the hon. member for Durham, and to the learned member for Tregony, whether he had not urged this? He had thus stated what his argument was. He said, on the present question, we had, in the first place, one of the most efficient equity judges who had ever sat in court,—the present Master of the Rolls. Of this individual he would only say, that he had been bedaubed that night, and upon previous occasions, in his praise, was quite inadequate to do justice to his talents. There was no man who had witnessed his conduct in his arduous and difficult, in some respects unpleasant, situation, who was not satisfied—who was not impressed with wonder, and in some cases with unbelief—when it was known what struggles he was making with a severe and distressing complaint. That conduct had excited the highest respect. Here, then, was as efficient and as proper a Master of the Rolls as could be required. Of sir Anthony Hart—and he spoke in the hearing of his friends—he would say, that he had been one of the oldest and most experienced practitioners in the court of Chancery. To the extent of his professional knowledge, he could not speak; but he was admirably calculated to get through business, which would compensate for other qualities in which he might be deficient. Here, then, was another good equity judge. Did any one doubt that the present lord Chancellor, though not educated in the Equity courts, was a man of great legal talents, and of a strong, manly, and independent mind? He possessed a remarkable power of simplifying and dealing with the most complicated questions. It was the remark of those who had the greatest experience in Westminster-hall, that no man knew so well how to split the nut, throw away the husk, and get at the kernel. Speaking as a man of plain common sense, and without offering to defend his profession, which had been alluded to that night by the hon. member for Colchester only for the purpose of its being described as tarnished in its honour, void of principle, and full of treachery and tergiversation, notwithstanding what he (Mr. Brougham) had seen and read, daily and weekly, printed and exhibited, he should say little with respect to himself, except that he took a pride in avowing himself a member of that profession. Without going to sentence-makers, paragraph-mongers, and magazine-writers [a laugh], but to attorneys, solicitors, and practitioners, he would under-
of official arrangement, by which all the clamours of the country were to be stilled. The judge was to be changed, but the practice of his court was to remain almost unaltered; and all the splendid denunciations which had thrilled through every bosom in that House and in the country, were only to be considered as party tactics, and to be looked upon as the result of disappointed ambition. Now that the object of professional advancement was obtained, those who had been most loud in their attacks had become the eulogists of the late lord Chancellor's merits. And the House was now told, that if, in the vehemence of debate, any thing had been said which was calculated to injure his character, it amounted to nothing, and was only to be considered as the accidental effusion of party spirit. Suits were now to be satisfied that the court would, in future, move on with the utmost celerity and harmony; that they would no longer have their hopes withered, their prospects blasted, and their comforts destroyed by the delays and expenses; that they would no longer be consigned to a premature grave, or entombed alive in madness in Newgate. If such were the case, it would be well to place a couple of learned gentlemen at each end of Chancery-lane, to point out to every passenger the road to the court of Chancery, and to proclaim in the streets, that "all its ways were ways of pleasantness, and all its paths were paths of peace." A greater insult than such a declaration could not easily be imagined. The abuses of the court of Chancery still reigned in all their pristine deformity. It was a mockery to the House, and to the country, and to the commissioners who had presented the Report, to say that this branch of the law was as it ought to be, and that a few petty regulations were all that was wanted to make causes be despatched with promptitude and justice. The country was inclined to place confidence in the new government; and the new government ought therefore to recollect, that much was expected by the people from it. Everybody was now asking, what benefit the country was to derive from the success of the new administration? When they looked for a reform in the court of Chancery, were they to be told, that all the denunciations which had been uttered against it were mere party tactics, and were uttered with no other view than to answer party purposes? If the administration thought that the country was to be so deluded, they were deluding themselves, and would discover their error when, perhaps, it was too late. Though there were some questions which might be deferred without injury to the public interests, the present question was not one. It was his opinion, that, if the new administration had not been formed, the bill which the present lord Chancellor has introduced into that House, for the improvement of the court of Chancery, would have been carried by acclamation. But now that it was formed, parliament was told, that it was a useless measure; that scarcely one of its provisions was advantageous; that the one hundred and eighty-eight propositions of the Report, which had a hundred and eighty-eight eulogists, were to be abandoned; and that all that was necessary to simplify the court of Chancery was for the lord Chancellor to make certain regulations, under which all expenses and delays were to cease. If any man had a judgment so weak as to place confidence in such a statement, he thought that he ought to be placed forthwith under another branch of the lord Chancellor's jurisdiction—he meant the jurisdiction in lunacy. The system, he repeated, must be reformed. It was full of abuses; and those who now undertook to defend them had, not many months ago, poured forth against them torrents of fiery indignation. He could not subscribe to the eulogies which had that night been passed upon the disinterested feelings of the gentlemen of the bar; but, as he should have another opportunity of expressing his opinions upon that subject, he would not enter into it further at present. He held in his hand a document, which justified the House in proceeding warily with professional reforms proposed by professional men. It was a tabular view of the offices of the court of Chancery; from which it appeared that, out of three hundred and ninety-eight officers belonging to that court, all but twelve were in the appointment of the lord Chancellor. When such was the case, he thought it was evident that gentlemen who were still engaged in the active duties of the profession were not likely to be the most active and impartial correctors of abuses. A commission of inquiry, to be thoroughly useful, should consist of counsel and solicitors who had retired from business, and who, by their experience and independence, would be able to understand
the bearing of the different grievances and remedies which might be brought under their consideration. Such a commission would have full employment in this country for some time; for, sorry as he was to say it, abuse and law were in England synonymous terms. The country, he repeated, was law-ridden (a laugh). He used the expression advisedly; for what else could be said of a country which had six thousand certificated attorneys, each of whom, upon an average, received 1,000l. a year? The House would see from that statement, that 6,000,000l. of money were annually expended in law. If the hon. and learned gentlemen had not changed their principles with their seats, they would see that something more than a mere change of men was expected in the court of Chancery. A change of system was also requisite; and, unless it was effected, before long they would have nothing to congratulate either themselves or the country upon in the ensuing session of parliament. The hon. member concluded by supporting the motion.

The Attorney-General said, he could not have supposed that there was any man whose mind was so weak, and whose judgment was so slender, as to believe that he could have said that a change of men, and not of measures, was all that was required to sweep away the abuses of the present system of the court of Chancery. He had not said that a few regulations would sweep away those abuses; nor had he said, that the aid of the House of Commons would not be asked to effect that desirable consummation. He had never thought of entering that night into the general question of the court of Chancery. He had confined himself simply to the question before the House, and that was—the business in bankruptcy to be severed or not from the jurisdiction of the great seal?

Mr. G. Bankes denied that the commissioners of bankrupt were young men without experience, or old men without practice, or that they were appointed either from parliamentary influence, or from motives of charity. In the list to which he belonged, there had been three vacancies within the last year, and they had all been filled up by individuals, against whom it was impossible to make any exception. He was sorry to say, that, in the warmth of his eloquence, the hon. member for Cholchester was accustomed to go a little further than facts warranted him. He had himself admitted it in his speech of that evening, when he stated, that he had estimated at too high a value the fees received by the lord Chancellor in bankruptcy. He trusted that the House, when it reflected upon what had been said upon former occasions, and what had transpired that night, would acquit lord Eldon of having been swayed by any thing like a sordid love of money. If he opposed the motion of the hon. member for Durham, it was solely in reference to the time at which it was brought forward, and to the declaration of lord Lyndhurst, that he had in his breast several propositions for the remedy of the grievances now existing in the court of Chancery. He wished that he could force an inquiry into the charges which had been brought, not only against the form of the tribunals in bankruptcy, but also into the manner in which they were conducted.

Dr. Lushington rose to express briefly his sentiments on this question, and he trusted that the House would allow him to trespass a little on its time, as he could not well avoid taking a part in the debate, considering that he had been a member of that commission which had been alluded to by the hon. member for Durham, not in the most respectable terms. He would state at once, that he rose to give his most decided negative to the present motion. He was convinced that it would not be advantageous to the administration of the bankrupt law, nor beneficial to the interest of the suitor; he was convinced that it would not diminish the expense of clearing away the various difficulties by which this subject was surrounded, if the House were to take from the lord Chancellor his jurisdiction, in the last resort, on this important question, and were to create another tribunal independent of him, and without appeal: for the same cases might come before the commissioners of bankrupt and the lord Chancellor, and thus they might have decisions in the law which were utterly irreconcilable. For these reasons, he could not agree to any plan which had a tendency to destroy what he conceived of infinite importance—an uniformity of decision, on all points relating to the property of the subject.

That was his chief reason for dissenting from the hon. member for Durham, who wished to dissever questions in bankruptcy from the jurisdiction of the lord Chancellor.
But, though he entirely differed from his hon. and learned friend, he perfectly agreed with those who thought the question ought to undergo complete revision—who thought that the property of the subject was wasted by the expensive nature of the processes of the court—who thought the delays of the court of Chancery equally unnecessary and indefensible—who thought that the mechanism of seventy-two commissioners was one of the most absurd schemes that had ever entered into the brain of man. He knew that the existing system of bankrupt laws had produced evils in the metropolis, to an extent which it was deplorable to describe. He knew that the hon. member for Colchester had not exaggerated the fact, that not merely hundreds but thousands of individuals had been reduced to ruin, not because there had not been property to divide among them, but because it had been wasted by the maladministration of the law, which had been prostituted to the basest of purposes. He would never give up the opinion which he had formed upon this question. He acceded to every thing that had been said by the learned member for Peterborough; but he could not accede to what had fallen from the hon. member for Colchester, who had said that the commissioners protracted business at their different meetings, in order to put money into their pockets. Such was the evil, and such the iniquity of the present system, that he defied the commissioners to do justice by all their exertions. It was true, that no individual could hold a commission of bankrupt who was in great business. As soon as he got into that commission, he must either neglect his own business, or that of the commission on which he was placed. What could be so destructive of business as meeting for one hour, merely, on affairs of an intricate and complicated nature. He knew that another hour was sometimes given to them; but then, at the conclusion of the second hour, they must separate on account of their different private avocations. He was of opinion, that nothing could give to the merchants of the country proper security, except an entire revision of the subject, and the abolition of the existing list of commissioners. The hon. member for Colchester had suggested the erection of a Board of five Judges in their stead. Now, the hon. member must not be allowed to take the credit of that suggestion to himself. It had been discussed by the Chancery commissioners: all the difficulties which had occurred to the commissioners had been put in the shape of questions to the witnesses whom they examined, in order to see whether they could or could not be obviated; and the reason why the commissioners had not made a report on that subject was, because they were of opinion—prorogually as he thought—that bankruptcy was not one of the questions included in their commission. It was also thought, that the commissioners ought to examine how the time of the Chancellor could be saved. He thought that such a scheme would be abortive; and he had nobody on his side but sir Anthony Hart. With regard to the administration of the bankrupt laws, he knew that it was a pressing evil. He felt severely the obloquy to which he should be exposed, in case the report came forth without any proposition for its redress. If his hon. and learned friend, the member for Durham, would propose any specific measure to reform the administration of the bankrupt law, he would willingly support it; but to go into a committee of the whole House, to read the statute of queen Elizabeth, which not more than seven individuals would understand when read, and to read subsequently the other statutes in bankruptcy down to the present day, appeared to him to be a practice as useless as any the imagination of man could devise. What did his hon. and learned friend wish to have done? What practical good could he expect by his motion? Had he considered the period of the session to which they had arrived? Could any scheme that he might propose now meet with due consideration? On the other hand, was the House to wait throughout the session without claiming of the government some specific promise of reformation? He thought it was proper that the country should have some statement, in order that it might undergo discussion at present, and be submitted to the House in the next session of parliament. He was convinced that nothing but legal enactments could remedy the evil. It was therefore absurd to expect that lord Lyndhurst would devise a remedy for that which nothing but an act of parliament could remedy. He was of opinion that bankruptcy, in the last resort, ought not to be taken from the lord Chancellor. The bill which was brought in by lord Lyndhurst had been
since abandoned; and they had been told to wait until they could see what his lordship and his two coadjutors could do by the force of their own regulations. He was ready to give Lord Lyndhurst every confidence; but he must doubt whether any exertions which the noble lord might make, notwithstanding his advantages of being earlier in life, and more bold and fearless in disposition than his predecessor, could ever reduce the business of the court of Chancery within those limits of despatch and accuracy which were requisite to do justice between all parties. He was of opinion that much more must be done than his hon. and learned friend, the Attorney-general, seemed to anticipate. He was ready to wait until the next session of parliament; but, when it came, it would be necessary to lay on the table of the House forthwith, plans to alter the law of the court of Equity, and also that of real property; and, when those objects were attained by legal enactments, he entertained hopes, though he had also doubts, that the three judges would despatch their business with all requisite celerity. One thing above all others he deprecated. He deprecated any attempt to diminish, with undue celerity, the present number of arrears. He did not say that Lord Lyndhurst would pursue that course of proceeding; but he hoped that nothing would be said in that House which would lead to an expectation that his lordship would do more than any man could do; for, if any such expectations were raised, it would be equally inconvenient to the public and to the noble lord. Let the noble lord proceed steadily in his course; and, if he should happen to find that the mass of arrears was too great for him to put down, let him not be ashamed to confess it. He should conclude by stating, that he should always support any measure that tended to reform our jurisprudence, and that he conceived to be productive of public advantage. He was convinced that every branch of our law required to be investigated, and that alterations might be made in most of them, which would tend greatly to the public benefit.

Mr. Brougham requested that the original motion might be read from the chair. The motion was read accordingly. He said, he thought that such was the motion of the hon. and learned member for Durham, and he was persuaded, by the able and candid speech with which he had introduced it, that his object was to moot, upon the present occasion, a question which he had often previously brought forward; namely, the propriety and expediency of severing bankruptcy from the great seal. The terms of his hon. and learned friend's motion embraced no larger scope. The argument on which he went, entered into no wider field; and he was not, therefore, surprised that his hon. and learned friend, the Attorney-general, confining himself strictly to the subject matter in debate, had only applied himself to answer the arguments of the hon. and learned member for Durham. He was, however, surprised to observe, that as soon as his majesty's Attorney-general had sat down, the hon. member for Colchester having acceded to the debate, went into a wider field—he would not say a less important one—which, whatever might be its merits, was not then under the consideration of the House. That the matter of the bankrupt laws was one of paramount importance—that they might be freed from all the intricacy and complexity which was predicated of them,—that they might require great revision, not only as to their principles, but also as to their mode of administration,—that the mechanism of seventy-two commissioners, which had been so much attacked, might be injurious, cumbersome, ill-contrived, and little calculated to produce the effects for which it was intended,—that many great reforms, and each of them important, might be introduced into the bankrupt laws, as regarded their administration, was a proposition which might be well founded, but was not the proposition which was then before the House. That proposition was exclusively this—and it was that to which his majesty's Attorney-general, and his hon. and learned friend, the member for Durham, had particularly addressed themselves, and on which alone he felt himself entitled to vote and speak—shall bankruptcy be severed from the great seal? Shall the House, with a view of considering that question, resolve itself into a committee of the whole House on the acts, giving the court of Chancery that jurisdiction? That was not an unimportant limit of the debate: for though he did not, whilst he was in the House, hear any observations tinged with asperity affecting either of his two learned friends who had spoken on this question, yet, on his return from a temporary absence, he did hear remarks,
Covety, either during the election, or on account of the petition which followed. He thought it would be an act of the greatest injustice to punish the magistrates of Coventry, without giving them the means to defend themselves.

Mr. Peel was not prepared to put a stop to all further inquiry, by putting a direct negative on the motion. He should vote, therefore, for the introduction of the bill; though he did not pledge himself to support it in its future stages. He could not help thinking that it would be a hardship on the corporation to visit it with a punishment amounting to disfranchisement. It should be recollected, that the House was acting judicially. He thought they were bound to hear evidence before they proceeded to pronounce a positive opinion on the merits of the case.

Mr. Secretary Bourke could not concur in opinion, that to give to the magistrates of the county of Warwick a concurrent jurisdiction with those of the city of Coventry would amount to a forfeiture of the ancient charter of that city, or that such a measure would be one of the severest punishments that could be inflicted on it. On the contrary, he thought it one of the mildest invasions of their corporate rights that could be suggested. With respect to the hearing of evidence at the bar of the House, he entertained a different opinion from some hon. gentlemen; for, after the specimen that had been afforded the other night, of the manner in which assertions were made at its bar, he should not be in a hurry to recommend, that recourse should be had to a similar proceeding. Moreover, the House was already in possession of facts deposed to on oath, before the committee, and embodied in its report; and he should protest, as far as the protest of an individual could go, against discussing in that House, the decision of a committee acting under the solemn obligation of an oath.

Mr. Hudson Garney said, that however strongly the case might be made out for the necessity of some parliamentary interposition, the project for giving a concurrent jurisdiction to the magistrates of Warwickshire was not one which had the slightest tendency towards abridging the evils complained of.

Leave was accordingly given to bring in the bill.

**Sale of Game Bill.**

Mr. Peel was not prepared to put a stop to all further inquiry, by putting a direct negative on the motion. He should vote, therefore, for the introduction of the bill; though he did not pledge himself to support it in its future stages. He could not help thinking that it would be a hardship on the corporation to visit it with a punishment amounting to disfranchisement. It should be recollected, that the House was acting judicially. He thought they were bound to hear evidence before they proceeded to pronounce a positive opinion on the merits of the case.

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Leave was accordingly given to bring in the bill.
night-poachers, and next to an impossibility to collect a sufficient number of them for that purpose. Since, therefore, the endeavour to amend the poacher, by deterring him from crime, could no longer be made, the only way left open was, by diminishing the temptation to crime. Now, he did not know of any way to diminish the temptation which could be so effectual as to bring a competitor with the poacher into the market, who had no occasion to sell game to provide for his subsistence. He should move the first reading of the bill.

Leave was given to bring in the bill.

**HOUSE OF COMMONS.**

**Wednesday, May 23.**

**SMALL DEBTS' BILL—ARRESTS UPON MONEYS PROCESS.** The Solicitor General rose to move for leave to bring in "a Bill to prevent Arrests on Money Process for Debt under 20l." He said, it was unnecessary for him to occupy much of the attention of the House in explaining the purpose of his bill. They would, perhaps, recollect that, in 1811, an act had been passed to prevent arrest for a less sum than 15l.; that was, however, only a temporary measure, and had been allowed, rather by accident than design, to expire in 1824. By the previous law, an arrest could be executed for 10l. The alteration which he intended to propose, was an extension of the last act, and that the sum of 20l. should be substituted for 15l., as the amount for arrests. In former times, an arrest might be effected for any sum exceeding 40l. ; but, in the reign of George 1st, the sum was fixed at 10l., and so the law stood since, with the single alteration to which he had just alluded. It was, he thought, obvious, that if 10l. were deemed a sufficient sum during the reign of George 1st, the alteration in the value of money which had since taken place would sanction, as just and necessary, his proposal of substituting 20l. But there were other reasons which called for the enlargement. Returns had been produced, showing the number of persons confined under mesne process in the gaols of England and Wales during the last year; and from these he found, that one thousand eight hundred and twenty persons were in custody, of whom five hundred were for debts under 20l. He complained strongly of the fatal tendency of the expense of recovering small sums, according to the present process, which was sure to cost one half of such debts. There was another alteration which he should make in the former bill; and that was, to annul the exception in favour of debts not contained in promissory notes and bills of exchange, and thereby obviate the desire of tradesmen to get such securities from the creditor as exposed him to a summery and expensive process. He wished his new bill to have a sweeping effect, whether the debts were upon bills and notes, or by simple contract. It was also his intention to make some alterations, to reconcile the practice, in these cases, between the courts of Pale and Wales, and the superior courts of Westminster. He concluded by moving for leave to bring in his bill.

Lord Althorp approved of the proposed bill, and only doubted whether the sum was carried quite far enough. He strongly condemned the present expensive practice of recovering small debts; which cost so much money as to amount to a denial of justice, and to make one almost wish, that debts under 10l. should be reckoned debts of honour.

Leave was given to bring in the bill.

**ROMAN CATHOLICS' LAND-TAX.** Mr. George Bankes, in rising to propose the introduction of a measure, having for its object the exemption of the Roman Catholics from a double assessment of the Land-tax, hoped that he should meet with the support of the House. It could not be unknown to those whom he addressed, that many Roman Catholics were doubly charged with land-tax; and, by virtue of the same law by which they were originally so assessed, Protestants who had succeeded to their estates were obliged to pay the same tax as the Catholics from whom they inherited. The act by which Roman Catholics were doubly charged with land-tax was passed in the 4th of William 3rd, and continued in force by the enactment of annual bills, until the 33rd of the late king. The bill of William, which was passed at a time when this country was at war with some of the European powers, enacted, that Roman Catholics should, in future, pay a double land-tax; that was to say, that Catholics should pay 8s. where persons of other persuasions paid only 4s. These annual acts of parliament were continued until 1794, when the 33rd of the late king professed to relieve the Catholics...
Mr. Peel was not prepared to put a stop to all further inquiry, by putting a vote on the motion. He should not direct negative on the motion. He should vote, therefore, for the introduction of the bill; though he did not pledge himself to support it in its future stages. He could not help thinking that it would be a hardship on the corporation to visit it with a punishment amounting to disfranchisement. It should be recollected, that the House was acting judicially. He thought they were bound to hear evidence before they proceeded to pronounce a positive opinion on the merits of the case.

Mr. Secretary Bourne could not concur in opinion, that to give to the magistrates of the county of Warwick a concurrent jurisdiction with those of the city of Coventry would amount to a forfeiture of the ancient charter of that city, or that such a measure would be one of the severest punishments that could be inflicted on it. On the contrary, he thought it one of the mildest invasions of their corporate rights that could be suggested.

With respect to the hearing of evidence at the bar of the House, he entertained a different opinion from some hon. gentlemen; for, after the specimen that had been afforded the other night, of the manner in which assertions were made at its bar, he should not be in a hurry to recommend, that recourse should be had to a similar proceeding. Moreover, the House was already in possession of facts deposed to on oath, before the committee, and embodied in its report; and he should protest, as far as the protest of an individual could go, against discussing in that House, the decision of a committee acting under the solemn obligation of an oath.

Mr. Hudson Gurney said, that however strongly the case might be made out for the necessity of some parliamentary interposition, the project for giving a concurrent jurisdiction to the magistrates of Warwickshire was not one which had the slightest tendency towards abridging the evils complained of.

Leave was accordingly given to bring in the bill.

**HOUSE OF LORDS.**

**Wednesday, May 23.**

**SALE OF GAME BILL.** The Marquis of Salisbury said, he had to propose to their lordships a bill to permit the Sale of Game under certain restrictions. He thought it well worthy of the consideration of their lordships, to see whether they could not, by some measure, not interfering with the principle of the Game-laws, put a stop to the increasing crime of poaching. He thought the bill which he held in his hand would have such an effect. The bill proposed to legalise the sale of game, and to do so in the most extended manner, by giving a power to all persons qualified by law to kill game, to take out a certificate, empowering them to sell game to licensed dealers. He thought it but fair, that those who had as much land as qualified them to kill game for their own use, should be allowed to make a profit by the sale of game. If that were allowed, it would have the effect of diminishing the crime of poaching. The bill was introduced as a temporary measure. Its operation would expire at the end of three years; and then their lordships might consider whether any better system could be established.

If he succeeded in making the sale of game legal, he thought the temptation to the poacher to commit crime would be greatly reduced; as he would be met in the market by a competitor, who would not be liable to any of the consequences to which the poacher was subject. He had another reason for introducing the present measure. Some few years ago, the poulterers of the metropolis came to the resolution of discontinuing the sale of game to their customers. What was the consequence? The poulterers lost their customers, and some of them were nearly ruined. They were at last forced to give way, and again resort to illegal means to obtain game. He was convinced that, however great might be the determination of their lordships to prevent the sale of game, they could not, by any legislative enactment, affect their purpose. In consequence of the abolition of the use of spring guns, much greater facilities would be afforded to the poacher in his illegal practices than he before enjoyed. If game was to be preserved at all, it must be by men, and men alone; but it was very difficult to get any men who would attack the
night-poachers, and next to an impossibility to collect a sufficient number of them for that purpose. Since, therefore, the endeavour to amend the poacher, by deterring him from crime, could no longer be made, the only way left open was, by diminishing the temptation to crime. Now, he did not know of any way to diminish the temptation which could be so effectual as to bring a competitor with the poacher into the market, who had no occasion to sell game to provide for his subsistence. He should move the first reading of the bill.

Leave was given to bring in the bill.

**House of Commons.**

**Wednesday, May 23.**

**Small Debts' Bill—Arrests upon Mesne Process.** The Solicitor General rose to move for leave to bring in "a Bill to prevent Arrests on Mesne Process for Debt under 20l." He said, it was unnecessary for him to occupy much of the attention of the House in explaining the purpose of his bill. They would, perhaps, recollect that, in 1811, an act had been passed to prevent arrest for a less sum than 15l.; that was, however, only a temporary measure, and had been allowed, rather by accident than design, to expire in 1824. By the previous law, an arrest could be executed for 10l. The alteration which he intended to propose, was an extension of the last act, and that the sum of 20l. should be substituted for 15l., as the amount for arrests. In former times, an arrest might be effected for any sum exceeding 40s.; but, in the reign of George 1st, the sum was fixed at 10l., and so the law stood since, with the single alteration to which he had just alluded. It was, he thought, obvious, that if 10l. were deemed a sufficient sum during the reign of George 1st, the alteration in the value of money which had since taken place would sanction, as just and necessary, his proposal of substituting 20l. But there were other reasons which called for the enlargement. Returns had been produced, showing the number of persons confined under mesne process in the gaols of England and Wales during the last year; and from these he found, that one thousand eight hundred and twenty persons were in custody, of whom five hundred were for debts under 20l. He complained strongly of the fatal tendency of the expense of recovering small sums, according to the present process, which was sure to cost one half of such debts. There was another alteration which he should make in the former bill; and that was, to annul the exception in favour of debts not contained in promissory notes and bills of exchange, and thereby obviate the desire of tradesmen to get such securities from the creditor as exposed him to a summary and expensive process. He wished his new bill to have a sweeping effect, whether the debts were upon bills and notes, or by simple contract. It was also his intention to make some alterations, to reconcile the practice, in these cases, between the courts Palatine of Wales, and the superior courts of Westminster. He concluded by moving for leave to bring in his bill.

Lord Althorp approved of the proposed bill, and only doubted whether the sum was carried quite far enough. He strongly condemned the present expensive practice of recovering small debts; which cost so much money as to amount to a denial of justice, and to make one almost wish, that debts under 10l. should be reckoned debts of honour.

Leave was given to bring in the bill.

**Roman Catholics' Land-Tax.** Mr. George Bankes, in rising to propose the introduction of a measure, having for its object the exemption of the Roman Catholics from a double assessment of the Land-tax, hoped that he should meet with the support of the House. It could not be unknown to those whom he addressed, that many Roman Catholics were doubly charged with land-tax; and, by virtue of the same law by which they were originally assessed, Protestants who had succeeded to their estates were obliged to pay the same tax as the Catholics from whom they inherited. The act by which Roman Catholics were doubly charged with land-tax was passed in the 4th of William 3rd, and continued in force by the enactment of annual bills, until the 33rd of the late king. The bill of William, which was passed at a time when this country was at war with some of the European powers, enacted, that Roman Catholics should, in future, pay a double land-tax; that was to say, that Catholics should pay 8s. where persons of other persuasions paid only 4s. These annual acts of parliament were continued until 1794, when the 33rd of the late king professed to relieve the Catholics
from the effects of the former law, by affording them an opportunity of ridding themselves of the double tax already referred to, by the production of certain certificates. From 1794 to 1798, the opportunity thus offered to the Catholics was open to them: but, in the last mentioned year, a clause was added to the bill, declaring that, after the September following, Catholics, who had not taken advantage of the law up to that time, would, in future, be excluded from its benefits. Through negligence, and other causes, several Roman Catholics failed to take advantage of the above law within the given time. The consequence of which was, that they were now subjected to the hardship of paying double land-tax. An action, arising out of the state of the existing law, had lately been tried; but the judge declared, that the law afforded no benefit to the plaintiff, and that the legislature only could grant him relief. The object of the present bill was, to give the Roman Catholics that relief. It might seem strange that he, who uniformly opposed the Catholic claims, should bring in any measure tending to relieve that class of individuals. As long, however, as he had a seat in that House, he should, without any reference to party feelings, adopt that course which he conceived was due to justice. He had been applied to on this subject by several Roman Catholic peers, and other distinguished persons, to bring in some measure of relief; and he conceived that the present bill would fully accomplish that object.

The Solicitor-General rose merely to say, that he should offer no objection to the measure proposed by the hon. gentleman; but he would not pledge himself to give it his future support.

Mr. Herries was happy to find, that the hon. gentleman had taken up this subject; because it would relieve the Treasury of proposing a similar bill.

Leave was given to bring in the bill.

REGISTRATION OF FREEHOLDS.] Lord Althorp moved for leave to bring in a bill for the Registration of Freeholds in England and Wales. In introducing the bill, the noble lord observed, that it was not his intention that it should be discussed this session.

Mr. Hudson Gurney said, that from what had yet proceeded from it, he had a considerable jealousy of the noble lord's committee, and thought they were in the way of introducing more mal-practices than they would remedy. The registration of freeholders had been pretty well tried in Ireland; and a more obvious source of fraudulent voting, he could not well conceive.

Leave was given to bring in the bill.

HOUSE OF LORDS.

Friday, May 25.

SUPPLY OF WATER TO THE METROPOLIS.] Lord Warnecliffe said, he had a petition to present to their lordships, on a subject which was well worthy of their attention. The petition was signed by the inhabitants of the western portion of the metropolis. They stated, that the water taken up from the river Thames, at a certain spot, for their use was charged with the contents of the great common sewers and the refuse of hospitals and slaughter-houses; and they prayed their lordships to appoint a committee of inquiry. He was not, however, certain that the best mode of effecting the wishes of the inhabitants would be by appointing a committee. At present, he should only move, that the petition be read, and on Monday he would call the attention of the House to the subject.

CORN BILL.] Lord Goderich, on rising to move the order of the day for going into a committee on this bill, said, that if he asked, on the present occasion, for their lordships' patience and indulgence, he could assure them that he did so, not as a mere matter of form, because, independently of the intrinsic importance of the question itself—independently of the great interest which it was calculated to excite in all classes of the community—indeed, independently of the vehement feelings, he might almost say passion, with which the present proposition was regarded by its friends and by its opponents—independently of the extravagant views of benefit foreseen on the one hand, and of danger apprehended on the other—independently of all these considerations, he could not but recollect in whose place it was his lot to stand. For if, by the infliction of Providence, his noble friend who had lately been at the head of the king's government had not been rendered unable to take part in their lordships' discussions, upon him would long since have...
devolved the duty of explaining the principle and the details of the present important measure. And when he recollected the number of years during which that noble lord had taken so active and distinguished a part in their lordships' discussions—and when he recollected the capacities with which he had been endowed, to explain, with a clearness and distinctness almost peculiar to himself, the most difficult and complicated subjects—and when he recollected that there was no man in their lordships' House whose personal and public character had obtained for him a larger share of the respect and confidence of their lordships, it was impossible for him not to feel oppressed by the weight of those considerations, and to admit his own immeasurable inferiority.

But, though he was fully sensible of that inferiority, and though there were many reasons on account of which he felt compelled to seek for their lordships' peculiar indulgence, yet there was one point, he would venture to say, upon which he did not yield to his noble friend; and that was, in the deep and sincere conviction which he felt, in common with what he knew, have been, with a clearness and nobility, that the present measure was one which was calculated to produce great advantages to all classes of the king's subjects, and to no class, in his judgment, so much as to that class to which their lordships' domain belonged, and which looked up to their lordships, as it was natural and proper they should, in all cases, for protection and support. He was fortified by that conviction, which was the result of no small consideration paid to this subject by his noble friend; and he was without a strong hope, whatever prejudices might have prevailed on the subject, and whatever doubts might have been entertained as to the policy of the measure—

he had the most sanguine expectation, that those prejudices would be overcome, and that the present measure would be allowed to pass into a law. If he was fortified by what was the conviction of his noble friend, he had also the satisfaction of being supported, on the present occasion, by those noble friends who had recently become connected with the king's government—a connexion which he would always maintain was founded on principles which no man could justly impeach, and which enabled them to give to their king and the country the benefits of their distinguished talents, without compromising their consistency, much less their integrity, or lowering the dignity of their character in the eyes of their lordships.

He did, therefore, presume to ask their lordships to listen to him with patience and indulgence, while he endeavoured to explain the grounds upon which he thought they were all interested in the success of the present measure. He knew that much blame had been cast upon his majesty's government, for having agitated this question at all. He well knew, that there were many considerations which would naturally deter any government from interfering with the Corn-laws; but, if government had interfered, he begged the House to recollect circumstances which had occurred, since the bill of 1815 was passed; and he would then call on the House to say, whether the government had wantonly and unnecessarily hastened into the discussion of this question; or whether they had not been compelled, by the force of circumstances over which they could exercise no control, and of events which had directly originated among that very class of persons, who were now the most interested in the present measure. After the bill of 1815 had passed, it came immediately into operation; and the ports were closed until the 16th of November, 1816. They were then opened, after one of the worst harvests known in this country, and after one of the most unfavourable seasons ever known in Europe, and which affected the produce of corn in every part of the civilized world. The ports remained open from the 15th of November, 1816, until the 15th of February, 1818. The harvest of 1817 was a very scanty one; and, during the whole of the time that the ports continued open, and while importation was taking place to a great extent, the price of wheat continued at an enormous height, until the year 1818, when the average was reduced below 80s., and the ports closed for three months. They closed, he believed, on the 16th of February in that year, and remained closed for no more than three months; and the price rose at the cessation of importation, manifestly indicating a state of great scarcity. The ports opened at the expiration of the three months, and remained opened until the 15th of February, 1819. Now, the harvest of 1818 had been of a very different nature from that of the two preceding
But, if government was justified, and compelled to take this question into consideration, had no other circumstances taken place since the year 1815, as applicable to this subject, which placed the question in a predicament, entirely new and different from the state in which it was at the time the law passed? He had already alluded to circumstances connected with the currency. At the time the Corn bill of 1815 passed, the act to continue the Bank restriction also continued. He did not know whether the putting an end to the state of things which existed before it was taken of the subject, the principle of the measure, and the means by which it would be carried into effect, had been greatly misunderstood, and had excited the most painful apprehensions. It was not a question of protection or no protection;—it was not a new or unheard of theory, that they were about to recommend. It was not the system of a cold-blooded political economist, but a system under which the agricultural interest had flourished. For he was as ready to admit as any one, that it would not do in this country to abandon the protection that had heretofore been afforded to the growers of corn. He had no intention to refer to any abstract theory. It was impossible to apply it to such a question. He was, therefore, ready to give the agricultural, or any other interest in the kingdom, such a share of protection, as would not be injurious to the other classes of the community. He repeated, that it was not a question of protection or no protection; and he was sure their lordships would see the difficulty of fixing what that protection ought to be. He was therefore not now disposed to enter into the general reasons for supporting the interests of the cultivators of the soil, but would at once refer to the law of 1815; which was, in fact, the greatest innovation on the Corn-laws that had ever taken place. Until that law passed, the prohibition of foreign corn was never known in the history of this country. Their lordships had experienced the effects of that law, but that measure, whether wise or not wise, was not now the question. The question was, whether it was wise to maintain it. So far from the measure now proposed being a new theory, it was a system under which the agriculture of this kingdom had flourished for upwards of a century. It was not, therefore, just to charge govern-
ment with bringing forward a theory, unheard of before, when the results of it must be in the recollection of many of their lordships. He knew not what political economists might think of the measure: he could not pretend to excessive wisdom; but the plan he now proposed was not an unheard-of system—was not the speculation of any cold-blooded political economist; and he could assure their lordships, they would never find him to advocate a change of that description.

If, then, government was not deserving of reprehension, but was entitled to support, for bringing this question under consideration, now that the circumstances of the country were different from those which produced the law of 1815, which was founded on the principle of exclusion to a certain price; and if he was right in saying, that they were only recurring to a system which for years had existed, he had come to that point which would require him to say a few words to satisfy their lordships, that the law proposed to be altered involved results which were prejudicial to all classes of the community. The noble lord then proceeded to comment on the effects of the law of 1815. The object, he said, appeared to be alternate prohibition and unrestrained importation. The law of 1822, as well as that of 1815, had the same effect, which made it impossible for the corn-grower, the merchant, or the corn-dealer, to know in what situation he was likely to be placed by circumstances which were alike beyond his control or calculation. The fact of placing the import price higher, although it gave an artificial stimulus to the agriculturists, of necessity gave a corresponding stimulus to all those who wished to avail themselves of the first opening of the ports; and the consequence was, that for three months they took the opportunity of pouring into the country, all the corn that could be collected from every part of the world. From the year 1815, to which he alluded, to the 15th of November, 1818, that opportunity was afforded, by the small sum of two-pence; and he would venture to say, that no man could be found who might not be disposed to think, that such an effect might be produced by combination and fraud. All the evidence which had been obtained on that question ascertained, that the distress of the agriculturists, during the years 1820, 1821, and 1822, was the result of the importation which commenced in 1815.

He was sure, with such proof of the evils of this system, their lordships would see the necessity of an alteration of the present laws. No man could fail to see the monstrous evils resulting to the cultivation of the soil under it. Suppose indications were now to present themselves, of an unfavourable harvest during the present season, and that the price should rise to 80s. per quarter; then, foreign corn would be admitted without limit, at a time, of all others, the most injurious to the small farmers—the period between harvest and winter. The consequences no man could doubt. The effect of that importation would be to spread dismay over the face of the country. His objections were founded, therefore, on practical experience, which had demonstrated the evils of the present laws—evils which he had never heard denied. It might be said, that they were met by the alterations of the law in 1822. That alteration effected no such thing. What was the law of 1822? Their lordships would suppose the question of price disposed of. The ports by that law were closed till the price attained to 70s. per quarter; they would then open at a duty of 17s. per quarter for the first three months. The object of that was, to check the importation. If wheat could be, as was stated, purchased abroad at the low price of 30s. per quarter, with 10s. expenses added to the duty of 17s., it would appear that corn could be imported at 57s. per quarter, after payment of all expenses, while it would be sold here at the price of 70s. So far, then, the protection would only occasion a further importation. If the duty had been raised higher, it might operate as a check; but that would be contrary to the principle of the law, which assumed, that 70s. was the price at which foreign corn should be admitted. He could not, therefore, consider the law of 1822 as productive of any other advantage over the law of 1815, except mitigating the severity of it.

If, then, this system, which appeared pregnant with so much inconvenience, was to be altered, what regulation could be adopted? It might be proposed to afford protection by fixing a high permanent duty; and he thought there was something deserving attention in the notion of fixing a permanent duty, without reference to averages; only the danger was, that if their lordships made it high enough to protect the agriculturist when the price was
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298 it would produce the most in-
ted result to the rest of the community was low, and the produce of plenty. Another proposition was made, to vest in his majesty in council the power of altering the duties according to circumstances—a power which he considered as most objectionable, as placing in the hands of government the power of dabbling with the interests of the country—a power the exercise of which might still be produced on the average of the produce.

If, therefore, they did not adopt it, nothing remained to be done but to establish a graduated scale of duties; and that was the principle of the present bill. The only difficulty was, to guard against the evils of the former laws. The noble lord proceeded to state, that, according to the law of 1815, the transitions were so sudden, and the advantages so great to all persons disposed to speculate in the importation of foreign corn, that it was impossible that any vigilance could guard against frauds by fictitious sales, and the consequent sacrifice of capital which followed. The only course that could be adopted was a graduating duty, which would take away the temptation for speculation, by lessening the profits to be derived from it. He could not say what effect might still be produced on the averages by the sacrifice of capital; he was unwilling to impose any restraint on a free trade in that which was the necessary subsistence of the people; but, feeling the difficulties under which they laboured from the established laws—feeling the indispensable necessity of taking away from the grower of corn the power of inflicting a high price in the moment of scarcity, and at the same time the propriety of affording him protection from loss from the operation of a low price in the moment of plenty, he thought their lordships ought not to reject the present bill. He did not think it was necessary to go into the details of the bill, which would speak for itself: the principle was intelligible enough to any one who would take the trouble to read it.

The noble lord then said, that there were two points to which he wished to advert, which had given rise to the most extravagant expectations and fears in the adversaries of the present bill. The first was with regard to the importation of foreign corn from the port of Odessa. It was from that port that this country was to be overwhelmed with foreign corn. The idea of such a supply of corn from Odessa was the most visionary that could well be imagined, by any one at all acquainted with the climate, the natural history, statistics, and all the circumstances connected with that part of the world. It had been proved in evidence, that, in order to obtain a cargo of wheat from Odessa, it would be necessary to send a British ship, and that, on that voyage, she would be absent eight months. Looking to the nature of such a speculation, what man would have the madness to embark in it? He therefore thought that the idea of getting wheat from Odessa was blown out of the water. There was not, he thought, the smallest probability that any man of sense would embark a farthing of capital in the importation of wheat from Odessa. In the next place, it would be found, that a great part of the surplus wheat, which might be obtained at Odessa, was of that description which would be entirely unsaleable in this country; and that, for any surplus which might be salable in a foreign market, there was an ample demand in the Mediterranean. The British merchant, therefore, if he went to market there, must come into competition with the Italian merchants; the consequence of which would be the impossibility of purchasing at that low price that would admit of a remunerating profit. If, therefore, they were even to rely on the supply from Odessa, he could not conceive what ground there was, to suppose that an overwhelming importation would come from that quarter.

Another part of the question on which he wished to say a few words was, with regard to importation of corn from our North American provinces. Their lordships would recollect, that a bill had passed through the other House, for the purpose of giving greater facilities for importing foreign corn. He always thought it reasonable, that such facilities should be afforded to our own colonies—to a people who emanated from the same country, spoke the same
language, adopted the same laws, and were imbued with the same principles of
attachment to the Throne of these realms. He said imbued with the same principles
of attachment, because, when government was threatened with the invasion of a
foreign enemy, the king had not, in any part
of his dominions, a more loyal or more devoted people. He could not conceive on
what principle their lordships were to treat them as a foreign country. If the colonies
were to be retained, he would treat them
the same as Ireland, as brothers and not
as enemies. That measure was founded
on the fairest principle; and he was happy
to see it included in the bill now on the
table.

The noble lord said, that the object, at
time, had been to afford the greatest
facilities for warehousing corn in this
country. The important object was, to
make this country the emporium, and so
it had become; and he hoped their lord-
ships would not be too hasty in departing
from those principles; which, with refer-
ence to our external strength and power,
would be the most powerful blow they could
strike. He trusted that they would pause
ere they laid the axe to the root of that
principle, which it had been their object
to cherish. It was the policy of the
Dutch and French governments to en-
courage the warehousing system; and he
trusted their lordships would give every
facility to it here. Their lordships, how-
ever, would find, that it would be impossible
to keep corn out of the country, and that
any measures which might be adopted for
that purpose would be attended with no
benefit to those on whose behalf they
opposed its introduction. Indeed, the
argument advanced on this subject was
most strange and inconsistent. If it was
argued, that they ought to exclude it
altogether, that was an argument against
the principle of the bill which they had
already agreed to. He hoped, however,
that their lordships would not by a side-
wind defeat the whole measure, to which
the House had given its concurrence. It
would be better to oppose it altogether
upon principle, than to alter it in a way
which would have the effect of rendering
it totally inoperative.

He feared that he had exhausted their
lordships' patience, as he had his own
strength. He would therefore not attempt
to add any thing more to the statement
which he had addressed to the House,
except to press upon their lordships' minds
the necessity of a fair and temperate dis-
cussion of this most important subject.

He had beheld with regret, on recent
occasions, a greater degree of warmth and
excitement than accorded with the dignity
of their lordships' House. He trusted that
such would not be the case on the present
occasion—that their lordships would not
treat the question as a party one. Their
lordships might naturally be induced to
consider themselves as the representatives
of a particular class of persons [Cries of
"No"]. It was natural that they should;
nor was it any reproach to them if they
did. It was the very essence of the con-
stitution of this country, that the aristo-
cracy should be connected with the land.

But he would not, therefore, do them the
injustices to suppose that, because the
agriculturists looked up to them for support,
or even protection, they would lose sight of
the claims of every other class. It would
be a libel upon the character of their lord-
ships—upon the character of English gen-
tlemen—to suppose that their lordships
would be actuated by any other motives,
in the consideration of this question, than
a desire to adopt what they believed, in their consciences, was the best
calculated to promote the interests of all.

He should feel deep regret if their lord-
ships did not accede to this measure; be-
cause he believed it to be most essential
to the interests of the country. If he did
not consider it calculated to promote the
wellfare of every class of his fellow-subjects,
he would not be found advocating it. The
interests of the agriculturists ought cer-
tainly to be guarded; but their lordships
would remember, that there were other
classes whose interests were also at stake,
and who had claims upon their considera-
tion, particularly at present; for their
lordships were aware of the great pressure
of distress which they had endured for
some time past. Never did he recollect
distress to press so heavily, and produce
so little complaint. In a period of suffering
like this, their feelings might have been
wrought upon, and their passions inflamed;
but, so far from that, they had borne with
fortitude and resignation, privations which,
not unnaturally, might have excited their
warmest feelings. He did not mean to
say, however, that it was to the existing
Corn-laws, that any portion of the present
distress was to be ascribed. At the same
time, he felt assured, that, in the success
of this measure, the interests of every class of the people were included.

The Earl of Malmesbury, after expressing his deep regret that the noble earl, recently at the head of the Treasury, was not present to prosecute the measure he had introduced, declared that no party spirit should govern his conduct. He entreated the House to look upon the present, not as a party, but as a national question, which embraced the interests of all classes of the community. As to the coalition between noble lords on one side of the House or the other, he was certainly not disposed to express any opinion; but, if he had been, this was not the moment he should have selected. When the bickerings and heart-burnings of the present day had subsided—when the events of the last six weeks, which had attracted so much attention, had been forgotten—when the individuals who were concerned in them were moulderng in their graves, the country would deeply feel the effects of the system now attempted to be established. The moment the legislature departed from the great principles which ought to govern what was commonly called the Corn-question, the country sooner or later must suffer the consequences of the deviation. He had hoped that the opinion of the House would have been taken, before the plan was embodied in a bill; and, for this reason, also, he regretted that the resolutions of lord Liverpool had not, in the first instance, been brought forward. He now opposed the bill on principle, which had its true origin in a speech delivered by the President of the Board of Trade, in March, 1825. Then it was that Pandora’s box had been opened—then it was that the doctrines of free trade had been broached, and those doctrines had been applied to grain. He dated the measure now offered from that period; and wished, in the outset, to be informed why the noble viscount, who supported the bill of 1815, now abandoned it; and why he objected at present to the restrictions he then advocated? He was not a stickler for the existing law. He had been willing to meet the noble viscount, and to adopt such changes as would render the system more perfect; but, if all the evils the noble viscount had detailed existed in 1815, and had been continued until 1822, why in 1822 had he persevered in the principle of the objectionable measure of 1815? All those evils must then have been before his eyes; and the noble viscount, on taking a review of them this evening, had minutely detailed the facts up to the year 1822, but had omitted them afterwards. He (lord M.) had very anxiously watched for the expression of some opinion on the operation of the existing system since 1822; but he had watched in vain; and in order to supply the deficiency, he would state to the House the average prices of wheat for the last four or five years. The average on the whole five years, since 1822, was barely 56s. per quarter: it had never been higher than 60s., and never lower than 51s. 9d. As the average was only 56s., on the principle of the noble viscount, that price was too low; since it was admitted by him, that 60s. was not more than a remunerating price. If there was any blame arising out of these transactions, it belonged to those who had been tampering with the existing system; and, under all the circumstances, it was not surprising that it had worked at all. What had been done since 1822? The first thing was the passing of that bill, commonly called Peel’s bill, respecting the currency. This was followed by the Canada Corn bill, passed in the very teeth of the present law. The noble viscount had been warm upon the last measure, and had complained of wild and groundless apprehensions from importations which last year had not exceeded twenty-six thousand quarters. He admitted the fact; but, when the noble viscount compared Ireland with Canada, he might have seen how the importations from Ireland had increased within a few years, and might have judged from thence how, in as short a space, they might increase from Canada. In 1807, the importation of corn from Ireland was only forty-five thousand quarters; in 1808, it was only forty-three thousand. In 1809, it increased to sixty-six thousand quarters; and, between that year and 1821, the quantity rose to no less than five hundred and sixty thousand quarters, or ten times its former amount. The same thing might happen with regard to Canada. The population, certainly, was not equal in both; but this was rather a reason for not encouraging Canada versus Ireland. Another point was material. Canada at present exported a considerable quantity of produce to the West Indies: but, if by any accident the United States interfered, and furnished the West Indies at a cheaper
rate, the produce they could not sell there, the Canadians might transmit to this country.—He remembered a noble lord remarking, that if he followed his own inclination, there should be no duty at all upon grain from Canada. Now, the mother country certainly ought to be protected in preference to the colonies; for the mother country was taxed far beyond her colonies. But the Canada Corn-bill was not the last measure which tampered with the existing system. Government had released all the corn that for several years had been in bond, and this without rhyme or reason. In the year following, a noble baron had asked the noble earl, then at the head of the Treasury, when he meant to bring forward the Corn-question? The answer was, that he should introduce it in the manner which was most convenient, and at the time when it was most likely to succeed. The year 1826 was gone through under the declaration, that nothing was to be done to disturb the existing Corn-laws. Half a dozen times the question had been asked, and as many times answered, that it was not meant to alter it. "Do you mean to let out the bonded corn?" was the next inquiry; and the distinct and repeated answer was "Certainly not." A noble friend, in reference to the disturbances in the northern parts of England, had put the question, whether government intended to advance any public money for the relief of the distressed? What had been the answer of the noble earl (Liverpool)? "That he did not mean to grant any of the public money; but left the distressed to the charity of the public." He had not left them to that charity in vain; and the so-much-abused agriculturists had contributed their full share. The most material part of the noble earl's answer came afterwards, when he said, that he meant to bring forward two measures—the one to let out all the wheat in bond in the kingdom, and the other to give government the power to admit five hundred thousand quarters, whenever it was considered expedient. The five hundred thousand quarters had, in fact, never been brought into the market; but they had hung like a black cloud over it, and had occasioned a depression of four or five shillings per quarter. This was followed by the Order in Council as to wheat—a very proper measure, only he wished it had been extended to oats, barley, and peas.

Afterwards, the importation of them had been allowed. He had already said, that he was not a stickler for the existing law: adhering to the principle, he would have corrected the machinery, and, among other regulations, he would have admitted foreign grain by instalments. Suppose the average were taken monthly, and that average, in September, were 66s., he would then allow a quantity of wheat to be brought into home consumption, not exceeding three hundred thousand quarters. If, in October, the average still remained at 66s., he would admit a further quantity of three hundred thousand quarters of wheat; and so on as long as the price continued high. Thus, in five months, as much grain would be imported, as had been yet brought in under any act. The principal advantage would be, that the danger of a glut threatened by the bill now offered would be avoided; so that such a remedy might properly be called a national alternative.—If he did not object to the present measure on principle, he should complain of it as a regular Money bill. It imposed a revenue duty upon the first article of subsistence. A noble lord had well said, that the motto, as applied to grain, ought to be, "noli me tangere;" but the present was strictly a Commercial bill, and he maintained, that corn ought not to be treated as an article of commerce and barter. In opposition to the preamble, he insisted that corn should not at all times be allowed to be introduced into the country. He objected to the bill also, because it contained a reciprocity clause, which ought not to be applied to grain. If the country were reduced to the state of wanting bread, no earthly restriction, no reciprocity clause, ought to delay its introduction. If it were not wanted, not a bushel ought to be permitted to be imported. There ought to be an implied contract between the consumer and the grower. "I will buy my food of you, as long as you supply me upon fair and reasonable terms; but when you cannot do so, I will go elsewhere."—He would now advert to the remunerating price; and he must complain, in the first instance, that the bill bore on its face a different character to that which, when analysed, it appeared to deserve. It was the professcd object of government to give the grower the remunerating price of 66s. per quarter: that was the lowest sum that would pay, but still, if that were secured to the farmer,
he would be satisfied. But, if the object really was to give a remunerating price of 60s. why was, that made the point of departure in the new plan? Dr. Kelly had drawn up some accurate tables regarding the prices at which grain could be grown abroad, and the expenses of importation. It appeared from these, that in 1826 the average cost of wheat at Danzig, was 21s. 6d. the charge of conveying it to London was 12s. per quarter, and adding 20s. for the duty, it could be sold for 53s. 6d. per quarter, while English wheat was at 60s., leaving the merchant a profit of 5s. 6d. per quarter. From Lisbon it might be imported for 30s. and from Konigsburg at the same price; so that, with the addition of 20s. for the duty, 10s. per quarter would be left for the profit of the importer. This did not look much like giving the British agriculturist protection to the extent of 60s. per quarter. A paper upon the table shewed the weekly average price of wheat, for the last four years. The House was aware, that, for every shilling which the average rose, 5s. were deducted from the amount of the duty; and he thought, that a premium upon speculation was thus offered. Now how many times in four years had the weekly average been at or near 60s.? In 1823, the average price of wheat had been remarkably low, only 51s. 9d.; yet, in that year it was twice at 63s., and seven times at 60s. Hence, under the new system, it might have been introduced twice at a duty of only 10s., though the average on the whole year was only 51s. 9d. In 1824, the average price was 62s. and it was thirteen times at 65s. and upwards. The duty on importation would, therefore, have been reduced to only 10s. and 8s. per quarter. At that date, there were six hundred thousand quarters of wheat under the king's lock, and no less than thirteen times in 1824, that quantity of wheat might have been poured in at a duty of only 10s. and 8s. per quarter. Under these circumstances, it was ridiculous to talk of securing to the grower a remunerating price of 60s. In 1825, there was no week in which wheat was not from 60s. to 68s. per quarter; and in the last year the average was 66s. 11d., and eight times, it had been 60s. and 61s. This afforded a clear proof, that under the new system, if the scale of ministers was adopted, foreign importations might be made to an immense extent, and to the extreme detriment of the home-grower.—But the subject presented itself in another point of view. It had been said, that these effects had not been produced by natural means only—that artificial expedients had been resorted to; and that the market had been affected by individuals who had gone into them with comparatively small capital. He hoped that the rates of price and duty would at least be made the same; and that where the one was raised but 1s., the other would be lowered in the same proportion. There was another evil likely to result from the admission of foreign grain into this country, arising out of the very good quality of Danzig corn, which was equal to the best Essex, while it could be grown at a lower price—a fact which rendered it highly probable that Danzig corn, at a small duty, would be imported in such quantities as to ruin the industrious farmers of the county he had mentioned. Did they want a proof of that probability, he called on them to look to the effect produced on the wool trade by the admittance of the importation of that article. There was another reason which deterred him from consenting to the present bill.—He would now say a few words upon the importation of corn from Odessa, which was supposed by some persons to be enormous. For himself, he did not fear that importation; but he looked with apprehension to one nearer home. To explain what he meant, he would refer their lordships to a report made to the king of the Netherlands in 1822. In that report, it was stated, that Holland had been the great emporium of grain, collected from the ports on the borders of the Baltic. When a call had been made from any parts of the Mediterranean for corn from the north, it had formerly been shipped at the ports of Holland; but now a little Turkish village had started up into a town of importance, and monopolised the trade of the Mediterranean; having exported to different places from there nine hundred thousand quarters of corn, within a period in which the exportation from Holland had not been half so considerable. After stating that fact, what did the report go on to say? Why, that the corn thus left in the ports of Holland was liable to be thrown back at any moment upon the country, unless those laws which prevented its importation into England were repealed; and when they were, and not till then, Holland would be relieved from its
burthen. He called upon noble lords to mark well that passage in the report; and then to say, whether they did not agree with him, that it was to be feared that the corn of the Baltic would be poured into this country.—Another subject, to which he wished to call the attention of their lordships, related to the power of production among the nations of the continent. That power had been recently manifested to an extraordinary degree in the article of oats. Upon that subject there existed much ignorance in this country. After the orders in council were issued by his majesty's government last year, there had been a strong feeling in the country, that a full supply could not be obtained from the continent. There had been as great a drought in the other nations of Europe as in England; and, as the crops of oats had been generally very small here, and in many places had failed altogether, it was supposed that the same circumstance would be found to have occurred in the nations on the continent. Yet, what was the fact? Although the average price then was hardly 6d. higher than what it was at this moment, there had been, within the last six months, no less a quantity than one hundred and fifty thousand quarters of oats introduced into this country, and the importation within that time amounted to forty-eight thousand quarters. These facts shewed how differently the productive powers of the continent ought to have been estimated; and how little the people of this country had been capable of estimating them, when they feared an inadequate supply. The enormous importation to which he had alluded, was going on at this moment as rapidly as during any part of the preceding six months.—His lordship next adverted to the warehousing system as applied to corn; which, he admitted, might be good as to the purposes of re-exportation, to which the noble viscount had alluded; though in other respects he thought it an abominable system. One of the circumstances which did not seem to be properly considered, was the depreciation in the value of land—a depreciation which, he thought, would be so increased by the proposed measure, as to bring the landlords to ruin. That depreciation might be found in an account of the average prices of British grain during the last seventeen years. That period he had divided into three series; the first of which was formed by the last five years of the war, and the remaining twelve years he had divided into two equal portions. In the last five years of the war, the average price was 99s. In the first six years of the peace, the average was 76s. being a diminution of twenty-three per cent; a diminution which was naturally to be looked for, as the consequence of a transition from war to peace, and a change of system throughout the political relations of the country. In the second six years of the peace, the average had been 56s. Now, he called on their lordships to look at the difference between 99s. and 56s. and they must see that the interest of the landed proprietors had sustained a depreciation of forty-four per cent. The right rev. prelates opposite, who intended to give their support to the present bill, were, of course, prepared to make a sacrifice of their own interests on this occasion; but he begged to remind them, that they ought to look upon themselves as the guardians of the parochial clergy. Considering their responsibility in that respect, he called on them to look closely into this bill, before they gave their assent to it. Parliament had very properly increased the stipends of that body of men, and large sums had been voted by the country, for that purpose; he therefore called on their lordships to haste, before they passed a bill, which would injure those interests they had before tried to protect. The peers of Scotland would state better than he could the evils which might, result from the measure to the clergy of their country; he should, therefore, merely allude to that part of the subject. He thought, however, that with respect to averages, Scotland ought to be included in the present system; and a fortiori, in the one now proposed, if it should pass into a law. The noble lord intimated the House to consider the great magnitude of the question. Their lordships were the hereditary protectors of the rights and liberties of the people. They had been appealed to on the present occasion, to come forward and do their duty; and he hoped that the appeal would not have been made in vain. He should sit down by moving, "That the bill be committed this day three months."

The Earl of Rosebery was desirous of expressing his sentiments on a subject as important as that of the Corn-laws. He thought that there were errors on the side
of the opponents as well as the advocates of the present system, but was disposed to support the bill now before their lordships. The first point to which he should call their attention was the assumption, that it was a great hardship to force the poorer orders to eat dear bread; and that their condition would be improved, in the same proportion as the price of corn was reduced. If the price of food was permanently reduced, assuming that the supply and demand of labour continued the same, wages would be lowered in proportion. Thus, the manufacturer would not gain, while the agriculturist must have his condition decidedly deteriorated, by the vast importation of foreign grain. The second principle adopted by persons who advocated the new system—a principle which he considered erroneous, because pushed into an extreme—was, that farmers and landlords were as deeply interested in having the price of corn low, as the rest of the community. He thought that the entire proposition was unsound; he did not believe it was true, that the vendor of grain was interested in the cheapness of the commodity; at the same time he admitted, that farmers were more interested in obtaining an advance on the price of corn than landlords. He should only trouble their lordships with one other doctrine of the same side of the question, which he considered equally erroneous; it was the proposition, that to place a large portion of the population in a state entirely dependent on the foreigner for a supply of corn, would be, to produce that commodity at a cheaper rate, than if the entire population were obliged to depend upon the supply afforded by this country. This would be placing a large body of the people at the mercy of the foreign grower; and would, no doubt, be disadvantageous to the supply which could be brought into the markets.—He had troubled their lordships with some doctrines adopted by one side, which he considered exaggerated, and of which he disapproved; he should not detain them long with a few remarks upon some opposite opinions, equally erroneous. It could easily be proved, that the existing law was only to be maintained by constant relaxations and changes. The law of 1815, and 1822, had been justly stated to be one and the same. Within the space of not quite five years, which had elapsed subsequent to the passing of the law of 1822, three million, three hundred and eighteen thousand quarters of foreign wheat had been admitted into this country. This fact proved that the exclusive system could not be maintained.—Having taken some of the extreme points upon both sides, he was at liberty to say, that he thought the present bill stood between both extremes, and was calculated to benefit all classes of the community, one branch of which could not suffer without another being sure to suffer in its turn. One advantage had been derived already, from the very introduction of the bill. It had conciliated the animosities previously existing between two interests, that ought never to be separated—the agricultural and commercial. He was sorry to be obliged to say, that these classes had been set in array against each other; but he confidently hoped, that the present measure would have the effect of reconciling them.—He should now maintain that principle, which he considered as forming the best basis for sound legislation on the subject of the Corn-trade. This principle tallied so entirely with that of the bill before their lordships, that he felt it impossible, in stating it, not to give his entire assent to the measure, and to convert the statement into an argument conclusive in favour of the bill. The principle he was disposed to advocate was, to fix such a duty on the importation of foreign grain, as would at once protect the farmer and the land-owner from ruin and injury, and preserve the consumer from the mischief that must ensue, if he were entirely dependent for support upon foreign countries. At the same time, by regulating the importation of foreign corn, according to the price of home produce, anything like scarcity would be prevented. This was a better system than the existing one; which made it frequently necessary to resort to the interposition of parliament, or government—an interposition always delicate, and sometimes mischievous. Now this was the principle of the bill, and on this ground he felt bound to support it. He had looked at the scale of duties proposed, with great attention. Perhaps in the original schedule the price of oats and barley were not in proportion to that of wheat; but these two had been subsequently altered. If it required any argument to shew the fallacy of fears which existed in the minds of many, it might be found in what they had all witnessed since September last, when foreign oats were ad-
mended into our ports. They had already
been admitted to an enormous amount,
and, as the noble lord stated, the importa-
tion was going on at this moment, to a
great extent. Yet it had not considerably
lessened the price of the commodity in the
home market. The fact, that upwards of
a million quarters had been introduced, at
a duty of 3s., and that the duty levied at
the present hour was not more than 8d.—
a duty which was merely nominal, while
the price of the grain in question was
higher than most persons could desire it to
be—was the strongest argument in favour
of the proposed law. At the same time,
there were some of the provisions of the
bill which appeared to him susceptible of
improvement. His impression was, that
there were certain parts, a proper altera-
tion of which, at a proper moment, would
tend to its amendment. But he did, at
the same time, distinctly avow his deci-
dion to be; that if the measure were of
that nature, that the alteration of any of its clauses, although desirable,
would endanger the success of the bill, he
would not be a party to this indirect mode
of overthrowing a measure, the fundamental
principles of which fully met his views.

The Earl of Mansfield rose, for the pur-
pose of stating his objections to the bill. He
was ready to admit, that some altera-
tion of the Corn-laws was desired by all
classes of the community—by the commer-
cial and manufacturing interests, for rea-
sons which were sufficiently known; and
by the agriculturists, because the protec-
tion promised by these laws was not at-
tended by the intended effects. Their re-
pel was desired by the labouring classes
generally; because, from it they looked
for a reduction in the price of bread, with-
out a corresponding reduction in the rate
of wages. The objections of the agricul-
turists were not directed against the prin-
ciple, but against the operation, of the
law; and, for its defects, they conceived an
adequate remedy might be found. He
objected to the present bill, because it did
not afford proper protection to the agricul-
turist. He thought the best protection
for the British agriculturist was to be
found in the exclusion of foreign grain,
except in times of scarcity—that scarcity
to be denoted by the price of corn in the
home market. What he proposed, he
was satisfied would be beneficial to all
classes of the community. There were
two defects in the bill of 1815, which re-
mained unaltered in that of 1822. The
first was an ineffectual protection afforded
to oats; the price of which ought to be
kept up to 30s. or 32s. The second de-
fect was in respect to the averages. View-
ing importation as only justifiable in case
of scarcity, he objected to taking the ave-
rages in some particular districts, without
reference to the whole country. It was
inconsistent to depreciate scarcity as an evil,
and assume its existence on inadequate
information. What objection could there
be to the bill of 1822? Had the import-
ing price, which it fixed, raised the price
of corn? The returns on the table nega-
tived the supposition. An objection brought
against the bill of 1822 was, that it had
not prevented fluctuation in prices. Cer-
tainly it had not; but when he looked
back to the averages of the last two hun-
dred years, he found variaces of forty or
fifty per cent frequently occurring. Since
1822, the fluctuations had not been so
great as previously; yet, if they had,
there were other circumstances which
might have occasioned them independently
of the bill. Had the measure of 1822
been the cause of the present manufactur-
ing distress? Certainly not. In consi-
dering the circumstances which gave rise
to the distress, the change in the currency
ought not to be omitted. He maintained
that a high governing importation price
did not raise the price of corn in the home
market. The manufacturers had learned,
by sad experience, that the necessity of
importation had crippled the resources of
those who were the best, and ought to be
the preferable, consumers of that produce.
The bill of 1822 had been stated to be in-
adequate as a protective measure; but he
contended, that no proof was afforded,
that the principle of exclusion ought to be
abandoned. It was said, that the bill now
proposed was no innovation, but a return
to the ancient system. Whichever it was,
he considered it equally erroneous in prin-
ciple. He wished to guard against being
supposed to object to the present measure,
on the ground of its novelty. It was upon
quite different considerations that he felt
it to be his duty to resist the progress of
it. He conceived that the best course had
not been taken to arrive at a sound deci-
sion on the question. The object which
the framers of the bill had in view was, it
was stated, to afford protection to the agri-
culturist. Obviously, the judicious mode
of proceeding in such a case would have
been to institute an inquiry into the cost of corn, which, in this country, attended the production of corn; and a similar inquiry into the cost attendant upon its production abroad. It was only when in possession of such data that parliament could, on safe grounds, proceed to fix a rate of duty. Now, instead of adopting this course, parliament proceeded to legislate in ignorance of both. They commenced their legislation, and then called for evidence as to the cost and means of production abroad. But, though the inquiry he mentioned would have supplied much useful information, it would prove insufficient. An inquiry into the state of the currency ought to accompany it; for nothing could be more manifest, than that the condition of the currency had the effect of elevating or depressing the prices of corn. The sudden expansions and contractions of the currency, which a certain condition of it necessarily involved, affected every production of the country, and, more especially, the productions of the land. The uncertainty which measures such as the present introduced, was most destructive to the agricultural interest. Nothing that was, in its nature, certain, could be worse than the unstable system which the present measure would have the effect of introducing. He attributed the clamour that had been raised against the Corn-laws to the depressed state of trade and manufactures. If they once revived, the legislature would hear no complaints. In every view of the subject, it was his full persuasion, that the present measure would prove most mischievous.

The Duke of Somerset said, that the unfortunate situation in which this country had been placed by the Corn-laws, had caused a division between the agricultural and the manufacturing interests, and had formed the nation into two great parties. Steps had been taken which never should have been taken, and which could be but slowly retracted. In 1815, he opposed the introduction of those laws, perceiving their pernicious tendency, though not to its full extent. In the last session, he advocated their immediate revision. Subsequent events had shown the necessity there was for such a measure, as the distresses of the country had obliged government to do, by an Order in Council, that which might more beneficially have been done by enactment. It was at last proposed to afford, by enactment, a relief to one part of the community. For this purpose, a bill had been brought in by the late administration. This bill had not been hurried through parliament. Not only the representatives of the people, but the people themselves had had full time to consider it. Public meetings had been called; the press had teemed with observations; and the table of that House had been loaded with petitions. At last the bill had come up, amended and revised by the statesmen and agriculturists of the other House. It might, therefore, have been expected to have been received as a measure that, of all others, was the most wanted; but, instead of this, it was assailed as most pernicious. It was assailed by arguments that had long ago been answered, by facts that had been long ago explained, by prejudices that had been long exploded, and by feelings which should not be found in a British House of Parliament. One principal objection which had been urged against all measures of this kind was, the vast debt under which this country laboured. Now, the way to make a heavy debt supportable, was to increase the resources which were applicable to the payment of its interest or principal. The admission of foreign corn on payment of a duty, tended to this increase in various ways. It promoted manufacturing industry: it afforded a direct revenue to the state. Then, by tending to reduce the prices of all home-made commodities and articles of British produce, it encouraged the trade of exportation, and increased the wealth of every consumer of those articles. Viewed in this light, the magnitude of the national debt were strong arguments in favour of the admission of foreign corn. Again, it had been urged, that foreign corn was always paid for in money, and not in manufactures. The insisting upon this argument was reverting to the exploded doctrine about the balance of trade; as if it were of any consequence to a country in what way it paid for its imports—as if, in the traffic between nations, gold and silver were not mere commodities, to be bought and sold like others, and only estimable, in proportion to their quantity and relative value. Oh! but, it would be said, “this is political economy,” and it had been of late the practice to inveigh against political economy altogether. There were in this country those who, in their dread of innovation, would prohibit all improvement. Mr. Burke was sufficiently adverse
the French Revolution; but neither Henry 7th nor Elizabeth ever
proscribed improvement, nor thought ill of political economy. He called it a new
science; and he acted upon its principles with regard to this very subject. At his
suggestion, those old restrictive laws were repealed which shackled the internal trade
in provisions. Mr. Burke did not reason like our modern sticklers for old regula-
tions. He could distinguish between a rational improvement and an extravagant
attempt. The political world owed a great deal to political economy. The
writers on that subject had promulgated several important discoveries. Amongst
the most important, was the doctrine of free trade. In former times, we had had
great sovereigns and great statesmen; but neither Henry 7th nor Elizabeth ever
thought of free trade. Neither Bacon nor Burleigh ever thought of free trade.
It was a discovery reserved for the eighteenth century. Henry 7th's re-
strictions upon agriculture, and the monoplies authorized by Elizabeth, would
not be endured in modern times. And why? Because such a policy had been
exploited by the political economists. It was to be wished that had been,
both in England and in France, that we owed our security against the return of
such absurd regulations. It was illiberal and unfair to dwell on the defects of the
political economists, without considering their merits. If they had been too dog-
matical—if their doctrines had been too unqualified—if they had been seduced, by
their subject, to carry their reasonings to an unwarrantable length—what valuable
facts had they collected, what large views had they taken, what precision had they
introduced into a subject which was not previously supposed to admit of it! In-
stead of inveighing against, it would be wiser to study, and not to reject altogether,
a science, which, from its novelty and exten
t, must have still many defects, but
which nevertheless contained many important practical principles. If some of
those principles were discoverable in the spirit of the present bill, he should not
think the worse of it on that account. It
was concise, simple, and intelligible. The
duties payable by the schedule were so
adjusted, as to ensure a supply, and to ex-
clude a redundance, of each sort of grain.
And they admitted of being developed in
tables of easy reference and undoubted ac-
curacy. And its having undergone alter-
ation without being rendered nugatory, or
perverted from its purpose, was a proof of
the solidity of its basis. Now that it had
been thus adapted to the circumstances of
the different portions of the United King-
dom, it seemed to be the only feasible set-
tlement of the great difference which had
been long subsisting between the agricultu-
ral and the manufacturing classes; by
ensuring profit to the one, and plenty
to the other. It promised to do this without
any such sudden change as might imme-
diately and perceptibly alter the subsisting
relations between different portions of the
community. Any change which it pro-
tessed to effect was both gradual in its pro-
gress, and limited in its extent. It ab-
stained from attempting to reach the ul-
timate perfection of a principle; and wisely
left to future times the consideration of a
nearer approach to it. He concluded by
expressing his decided intention to vote in
favour of the bill.

Earl Stanhope said, that the time at
which it had been attempted to introduce
this measure was most unfortunate; for
the agricultural interest was labouring
under a heavy pressure of taxation, which
was aggravating the inconsiderate changes
in the currency. A noble lord had designated
the agricultural association which assem-
bled in London, an Agricultural Parlia-
ment. He wished the parliament of the
empire had displayed as much wisdom as
that association. The law of 1822 had
never come into practical operation. No
foreign corn had been introduced, until
the violation of that law took place. The
principle of the present bill was completely
subversive of that of 1822, which was
adopted by parliament, after deliberate in-
vestigation. The present measure went
to allow importation at all times subject to a
fluctuating duty. The state of uncertainty
in which the agricultural interest would be
kept under such a system, must be pro-
ductive of great evil. Farmers would
providently reduce their expenditure to the
lowest possible scale, and employ no more
labourers than were absolutely necessary.
The consequence would necessarily be, an
augmentation of the poor-rates. It never
could happen, except under extraordinary
circumstances, that 60s. would prove a
remunerating price. Let their lordships,
then, consider what would be the conse-
quence on admitting the importation of
corn, subject to a duty of 20s., when the
price reached 60s. Two witnesses had
proved that, in the course of last year, foreign wheat was brought to this country, including all expenses, at 22s. per quarter. Therefore, when the price should arrive at 60s. in this country, that wheat might be imported, duty included, at 42s. per quarter. There were two circumstances which ought to have deterred ministers from bringing forward the present measure. One was the act passed a few years since respecting the currency; which a high authority in that House had properly called an edict of confiscation; and the other was what had happened from allowing the importation of foreign wool. The consequence of that permission had been a great decline in the export of our woollen manufacture. The market, also, was at present so stocked with wool, that it was become almost an unsaleable article. He did not mean to dispute the power of parliament; but that power ought to be exercised only for the benefit of the people. If their lordships should pass the present bill, they would not be acting for the benefit of the community. The consequence must inevitably be, a diminution of the number of persons employed. He could prove, from the petitions on the table, that in some districts, and those by no means the worst, one fourth of the labouring poor had been deprived of employment, in consequence of the low price of corn. The immediate effect of this measure must be to raise the poor-rates. The profits of the farmers must be reduced; the rent of the landlords would fall off, and ultimately cease. With an increasing population, there would be diminished means of employment; pauperism would be seen walking through the land, exciting in the first place discontent, and in the next, open dissatisfaction. This was his honest conviction: and his first wish was to avert such evils as must necessarily ensue, if the bill passed into a law. He was sure that those by whom it was proposed did not intend it should have such an effect; but nothing that he could imagine would so effectually accomplish the wishes of visionary reformers and radicals. A revolution in the state must be the necessary consequence of a revolution in the property of individuals. The beginning of such a revolution was to be found in any measure which tended to impair the security of property; and nobody, he thought, could doubt that this bill had that tendency. He would admit, that if any measure was advantageous to one class of the community, it would also produce a beneficial effect on the whole; but this alteration in the Corn-laws, he contended, was useful to no class of the people. He called upon their lordships, as they valued the happiness and property of all the subjects of this realm; as they would preserve unimpaired that constitution of which they were so proud; as they would maintain those institutions which were justly the pride of the nation; as they would save the country from the horrors of revolution and national bankruptcy, to give this measure their most decided opposition.

Lord Bexley said, it was extremely unjust to call this measure one of confiscation. It was not more a measure of confiscation than the measures of 1815 and 1822. A noble earl had said, that corn had been imported at 22s. per quarter. It was true, that some corn had been imported at that price; but it was of bad quality, and greatly damaged. It was proved, before the agricultural committee, that the foreign growers had been reduced to despair by the resolutions adopted by this government. Very extensive seizures had been made by the foreign government, to compel the repayment of advances which they had made to the merchants, and the sellers had consequently been compelled to send corn of any description to this country. In all the laws on this subject, prohibition had proved merely a snare for the consciences of people—a net for frauds and perjuries. This measure, without going the length of prohibition, afforded as great protection as the grower could require. With respect to Ireland, the change in the system had been sensibly felt. In the three years ending 1816, the average exports had amounted to 3,012,000l.; for the last year, they amounted to 7,000,000l. The present measure was calculated to extend these advantages; and, by promoting agriculture, to improve the condition of all the other manufactures, on which the prosperity of that country mainly depended. As to the effect on the woollen-trade, he wished the House to keep in mind the fact, that wool was not here, as it was in other countries, the principal part of the produce of the sheep, or the chief source of the grower’s profit. In 1822, previous to the reduction of the duty, Southdown wool sold for 16d. a pound, which made
the whole fleece worth just 3s. 4d., while the mutton of the same sheep fetched 40s. In 1826, the price of wool had fallen to 9d., the fleece was worth but 5s. 2d., but the mutton sold for 2l. 6s. 8d., so that the value of the whole sheep had considerably increased. He was convinced that none of the Corn-laws which had been introduced had ever deserved to be compared with this. It went by a regular process, from higher to lower prices; and, by the duty increasing as the price fell, such a check was placed upon it, as must altogether check any rapid fall. For his own part he confessed that he was very much attached to this measure. He looked upon it as the legacy with which he had been introduced had ever deserved to be compared with this. He was far from feeling very happy if he submitted to the House. He was far from believing that he had attached to it the utmost importance, and that a great part of the last summer was employed by him in investigating profoundly and minutely all the details of the subject. After he had given it his earnest consideration, he laid it before the government, and having been fully discussed, it was approved of and submitted to the House. He was far from saying that the measure was altogether perfect; but he was convinced that it was infinitely better than any which had before been brought forward.

The Marquis of Salisbury said, he should feel very happy if he could take the same view of the state of the farmers, with respect to their sheep, as the noble baron who had preceded him. He was convinced that prices such as the noble baron described would produce a material effect upon rents, if such prices could be realised. The noble marquis proceeded to animadvert upon the inconsistency of the noble viscount (Goderich), and contrasted the opinions of that noble lord in 1822, with those he had expressed that night. He characterized the opening of the ports last year as a robbery upon the landlords, and an almost irreparable injury to the farmers. The agriculture of the country was able at that time, as at all others, to supply all consumption at a moderate rate. No objection had been made by any party; and the course then pursued could only be considered a wanton meddling with the interest of agriculture. When it was known that a farthing in the pound produced a difference of nearly 30s., an acre to the agriculturist, he thought there was some reason for complaint. The noble marquis then read an extract from a letter formerly written by lord Goderich, in order to prove the difference between his opinions then and now. The letter stated, that "there was no security, either in peace or war, for a constant supply of the article of grain for the consumption of the people of this country, if we depended on foreigners; and that the only course to be taken therefor was, to encourage our domestic agriculture, which had been so conducive to our prosperity." A few years had made a strange alteration in the noble lord's opinions. Much as he disapproved of this bill, he did not mean to oppose its going into a committee; but he entreated their lordships to pause before they advanced too far into the "march of intellect," or gave themselves up to those visionary theories, which were unhappily too much the fashion, but which produced misery and distress wherever they were tried. For his part, he considered the interests of agricultural and manufacturing production to be the same; and was sure that such an injury as this bill would inflict upon the one must be highly prejudicial to the other. In his opinion, the better plan would be, to fix the duty at the time of the importation, and not at the time of its being taken out of bond.

Lord Ellenborough agreed with the noble viscount who opened the debate, that the present bill was susceptible of considerable improvement; but he could not go so far as the noble lord who had spoken last but one, that it was one of the most perfect productions of the human intellect. He was obliged to consider the bill as one brought there for amendment and improvement. It was not his intention now to propose the alterations which he thought necessary; but he should postpone, until it was in the committee, the design he had formed for making the bill what it ought to be. In its present shape, it would have his most determined opposition; and also at the third reading, unless he should succeed in introducing the improvements he alluded to, and of which, as the noble viscount said, it was so susceptible. If the noble viscount had known this House better; if he had been better acquainted with its quiescent nature, its sedative habits on all subjects, he would have known that, on no occasion whatever, was the acrimony of party feeling allowed to
interfere with the discussion of momentous topics, and that his depreciation of such acrimony was altogether unnecessary. But if, in this respect, he had shown himself to be a young peer, he had in other respects proved himself to be also a young statesman: for, in the conclusion of his speech, he had alluded to the distress which had been recently experienced by the manufacturing classes, and had expressed a conviction, that those sufferings were of a temporary nature, and about to be relieved. Yet the noble viscount, having this hope and this belief, thought that, on these grounds, he was entitled to ask their lordships to pass a permanent law, in order to relieve distresses which he had made a strong point of insisting were only temporary. The noble viscount had, moreover, done that which was by no means rare in these times; and he had recanted all that he had said on former occasions. The noble viscount could not have forgotten that in 1816, when petitions from every part of the country against the then Corn-law loaded the tables of both Houses, he resisted all inquiry. The universal complaint and outcry of the nation produced no effect whatever on his mind. He adhered to his resolve, and nothing could shake it. In 1820 his mind was changed; but that change was effected by a circumstance which was always found to have considerable influence on a minister, however determined he might be—he found himself in a minority. From that period, his affection for his bill of 1815 was turned to hate; and, among all the attacks which had been made against that bill, none had been more acrimonious than that which the noble viscount had himself made that night. But let him remember all the circumstances which had taken place since 1816. Let him consider the effects of the fluctuation of the currency, and the alteration in the manner of taking the averages, and he would find that those alone were causes sufficient to account for all the difficulties which had been found in the progress of the measure. Then came the bill of 1822; the effects of which, notwithstanding the delay which had taken place, had been, in some respects, not disadvantageous. In 1815, the principle of prohibition had been called into operation: in 1822, they had conceded to the subscribers of a graduated scale. With respect to the present scale, he was much disappointed at the shape in which it presented itself. It was, however, his earnest wish to remedy the evils which surrounded the subject of the Corn-laws; and, since no other opportunity was afforded him, he must make one by proposing alterations in this bill. This question was not like one affecting the sale of any manufactured articles: it was a great constitutional question. No question was more deeply interesting to the country, than that which involved the agricultural interests; because, on the preservation of those interests, depended the constitution of the country. No one could look at the increasing manufactures of the country, without seeing that a great power was growing up, which set up a preference over the agriculture; and it was obvious that the measure now brought into the House had for its first object, the advantage of the manufacturing over the agricultural interests. That increase, which tended of itself to disturb the balance of the national interests, would be sided, in the accomplishment of that object, by this bill. Feeling that this topic deserved deep and serious consideration, and that it was fraught with dangers, which were not to be appreciated at the first glance, he could not observe without apprehension, the measure to which their lordships' sanction was now asked. Another point of importance was, that the question was a great Irish question. The imports from that country had been gradually increasing for the last eighteen years. The improvement in agriculture had been of the most striking and satisfactory kind. The increase of manufactures had been the natural consequence of that improvement; and to those their lordships must look as the means of increasing the prosperity of Ireland. He was not, he confessed, bold enough to look unconcerned at an act which might shake that prosperity. He did not say that this consideration would of itself be enough to induce him to negative the bill; but it made him regard it with serious apprehension. He could not consent to place in the power of any foreign nation, the supplying of the English people with corn. He repeated, that he did not propose to reject the bill altogether, although he had great apprehensions of its results. The object of the bill of 1815, and all the measures for half a century preceding it, had been the preservation of the independence of this country, on the subject of its food. The object of the legislatures of
that day was to render the country independent of a foreign supply of grain; and he could not now consent to give to foreign states—jealous of our wealth, jealous of our liberty, and jealous of our advantages,—the power of starving England. No temporary increase or decrease in the price of corn was, with him, to be compared to one year of the famine, or one hour of the national degradation, which might result from the present measures.—The noble lord here made some observations upon the state of the currency; and observed, that no man, not even the earl of Liverpool, when he last addressed the House on the subject, considered the question as finally settled. This question ought to have a great influence upon their decision. Nothing could be more false than the representations which had been made respecting their lordships' motives and opinions; and, although he was one of the last men who could be induced, from any opinion entertained of its unpopularity, to abandon what he considered the right course, he felt that, as their lordships had, at all times, exercised a powerful influence upon the fortunes of the country, they ought to shew, in the very onset, that they were willing to conciliate the affections and deserve the confidence of their fellow-subjects, by displaying their determination to watch over the interests of every class of the community. Their lordships were fortunately placed on an eminence, whence they could look down on all the petty feelings which might agitate the subordinate interests of the country; and he trusted they would, from that high station, pursue a path at once honourable to themselves, and advantageous to the country. He did not agree with the noble viscount, that their lordships were bound to consent to the bill as it came up from the other House. He was not to be influenced either by the name or the object of the bill, to give his unqualified consent to any measure, unless he was convinced of its propriety. He respected the privileges of the Commons, but he felt what was due to their lordships; and he was convinced that a full and fair discussion of any measure which came before either House was as essential to the well-being, as it was agreeable to the purposes, of the constitution. He would not be deterred by any threats of the fate of the bill elsewhere, from making what alteration he thought fitting and expedient; and, with these feel-

ings, he would sit down, declaring his determination not to oppose the motion of the noble lord.

The Marquess of Lansdown.—After the full, able, impartial, and convincing statement laid before your lordships by my noble friend (viscount Goderich), of the grounds upon which he calls upon your lordships to assent to the commitment of this bill, and more especially after the intimations which you have had from the noble baron who has just sat down, and the noble marquess who preceded him, of their intention to acquiesce in the motion before your lordships, I should think it unpardonable in me, at this late hour, to occupy your lordships' time for more than a few minutes, with any statement or argument in support of the course which you are now called upon to adopt. I shall, however, in the first place state, that the noble baron who spoke last did very much misrepresented my noble friend, when he said that my noble friend adverted to the state of the manufacturing districts, and made it the foundation of the measures which he proposed. When my noble friend spoke of the manufacturing districts, and of the distress which has unhappily prevailed among them, although now fortunately diminished, he adverted to it only as a ground—if he wanted any ground—for the interference of parliament upon this subject. He did not, however, bring them before your lordships for the purpose of arguing, that the interests of the agricultural classes of this country ought to be sacrificed to the commercial.—No. My noble friend knows the importance of that class too well to contemplate such a project. The noble baron has observed, that there is no difference between this measure and those of 1816, and 1822; and he has asked, why those measures might not be tried, rather than enter upon any new and unknown project? But, my lords, there is a great difference. Those bills held a prohibition to be absolutely necessary in every case short of famine; while the present measure permits importation under a graduated scale at all times, and yet affords effectual protection to the British agriculturist. I am ready, however, to admit the principle laid down by the noble baron, that this country might depend upon other countries for support; and I am ready to contend, that the richest country in the world ought, in some degree, to depend upon other countries for some of the
of a state of law, affording every protection to the prevailed among the landed interest of the country, and support and encouragement of other trades, the country is benefitted by this employment of its capital, and the very class most interested is benefitted by the re-action of the capital in such trade. The arguments of prohibition which I have heard upon this subject would, in a great degree, apply as much between county and county in England, as they would between Great Britain and other parts of the world. A noble lord has asked whether this bill is intended to benefit the agricultural class, or the general interests of the country? It is, my lords, a bill for the advantage of all: and such, I am convinced, it will be found, when its provisions are maturely considered. But, a bill even for the advancement of particular interests, may prove disadvantageous to those whom it was intended to benefit. A state of forced encouragement which outruns consumption—a succession of favourable seasons—various circumstances, may combine to produce a glut, and the effects which I have described. This state of things has been repeatedly produced in this country. We saw it in 1822, in which year, in spite of a state of law, affording every protection to the agriculturist, the greatest distress prevailed among the landed interest of the country, and the whole of the agricultural population were absolutely left almost without the means of subsistence. In a country like this, where so much larger capital is vested in manufactories, and where an equally larger capital is vested in agriculture, free inter-communication with other countries can alone enable either to flourish, and prevent those disastrous transitions between a glut and a scarcity, which we witnessed in 1815, and at other times in this country. A noble lord has observed very properly, that there is no class in this country which has not complained of distress, and applied for relief; a clear proof, in my opinion, that from the two sides—if there be two sides in the question—there is equal danger to be apprehended from the state of the law as it exists. In that state, either side is alternately placed in a state of jeopardy, and the rise in their production, consequent upon too great encouragement, must lead to a glut as pernicious as a scarcity. It is true, that every class have called upon the government to consider the state of this question. So called upon, I have, in common with others, supported this and those other measures of the government connected with the reciprocity of national advantages. I pressed it upon the attention of the government then, and I support it now; because I think that there is not a more natural or fit time in which we can be called upon to discuss the question. But then we are told, what is there wrong now? are not prices such as you wish? why not wait and see how matters turn out? why not wait the result of the labours of the Finance Committee? Are we then, my lords, to lose the present opportunity, and wait till famine or distress drives us upon considerations of relief? Is it when the passions are aggravated, that we are to debate this subject? Are we to wait for the time, when all are interested, or pre-judiced, or intermeddling within doors, and when all is violence and mis-statement without? The change which we now contemplate, has been long expected, and required from us. This, then, is the time to deliberate, when all are attentive and acquiescent; and when the feeling out of doors is such, that it would be almost impossible to obtain such a state of things at any other period. The noble marquis proceeded to say, that the principle of the bill went to admit, by proper gradations, a free introduction of foreign grain; and, for the present, a power of admission, beyond that which existed under the law of 1822. It had always been understood, that the principle of that bill was not permanent, but that the measure was to be finally adjusted, so as to admit foreign grain, without detriment to the interests of the home-grower, and with a protection to him corresponding to the weight of taxation. That taxation was considered fully in the provisions of the present bill. He would add, that if he thought that, under the operation of the present bill, any considerable quantity of land—if he could bring himself to believe that any considerable number of agricultural labourers—would, under its operation, be thrown out of employment, no earthly consideration should induce him to give it his support. He was sensible as any man of the inconvenience and danger that might result from the rash application of the principles of free trade in an artificial state of society; but the bill
before their lordships would cause no risk to the great interests now brought into opposition to it; for it would leave the mass of agriculture where it was at present. Reference had been made to Ireland in the course of the discussion. He must be allowed to know something of that country; and, he was convinced that, instead of injury, the bill would be productive of benefit to it; and, in referring to Ireland, he begged noble lords to recollect what had been said, that the country which could produce a redundancy of food for its inhabitants was the most happy. If that were true, then was Ireland in the greatest possible state of blessedness! The infusion of a small portion of our capital and of our manufactures into Ireland would, however, give to that country more life than any of the other experiments which persons were in the habit of recommending for her improvement. Taxation and the national debt had been referred to, in the course of the discussion; but the present was not the moment at which to enter upon those topics. He hoped their lordships would go into the committee, with a determination to give to the country the great benefit of closing this question—a determination to confer on parliament and the country the gift of setting the question at rest; so that every man, in making a bargain, might know the extent of his interests, and thus, too, prevent a necessity for interfering with the laws, similar to that to which government had been reduced on a late occasion.

The Earl of Rosslyn contended, that the country would be exposed to great danger if it depended for its supplies on a foreign state; and that we ought, upon principle, to draw as few supplies as possible from abroad, and only when corn was at an unusually high rate at home. He regretted that so much had been said and done to excite the manufacturing classes, and to induce them to petition against the Corn-laws. His objection to the measure was, not that it would greatly affect the agricultural interests of the country, but that it would tend to discourage agricultural labour, and to make the arrangements between landlord and tenant more unsatisfactory than ever they had been. It would also, in his opinion, materially discourage the employment of capital in agriculture.

Lord Redesdale said, that the measure before the House would produce the most dangerous effects in case of a bad season. The encouragement of the agriculture of the country was of such paramount importance, that he was astonished to find any one daring enough to interfere with it. The bill, he thought, went upon a wrong principle, and would devour agriculture, as the insect devoured the growing corn; and he would, therefore, give the measure his strenuous opposition.

The Earl of Carnarvon supported the bill, and denied that the country ran any danger from drawing its supplies of corn from foreign states. As soon as we created an open trade, the people from whom we purchased wanted our market as much as we could want their grain. He supported the bill, because he was convinced that even the price of 60s. was one which, under existing circumstances, the country would not be able to sustain. Sixty shillings would be a higher price at this moment than 80s. was a short time ago.

The Earl of Darnley supported the bill, and was of opinion that it gave competent protection to the agriculturist.

The House divided: For the committee 120; Against it 63; Majority for the bill 57.

HOUSE OF COMMONS.

Friday, May 25.

SUPPLY OF WATER TO THE METROPOLIS—PETITION OF THE WESTERN PORTION.] Sir Francis Burdett presented the following Petition, and gave notice that he would, shortly after the recess, call the attention of the House to the subject:—

"The humble petition of the undersigned inhabitants of the Western portion of the Metropolis, sheweth;

"That your petitioners beg leave to submit to your honourable House, that the principle of the acts of parliament, under which the several companies supplying the metropolis with water were instituted, was to encourage competition; seeing that it is only from competition that a perfect security can be had for a good, a cheap, and a plentiful supply.

"That, nevertheless, by an arrangement entered into, about the year one thousand eight hundred and seventeen, between the several companies supplying the metropolis with water, all competition was put an end to, and a monopoly of this necessary of life virtually established.

"That the water taken up from the...
river Thames, at Chelsea, for the use of the inhabitants of the western portion of the metropolis, being charged with the contents of the great common-sewers, the drainings from dung-hills and hay-stalls, the refuse of hospitals, slaughter-houses, colour, lead, and soap-works, drug-mills, and manufactories, and with all sorts of decomposed animal and vegetable substances, rendering the said water offensive, and destructive to health, ought no longer to be taken up by any of the water companies from so foul a source.

"That the Grand Junction Water-works Company, having engaged to supply their customers with water of the purest and wholesome quality, to be drawn from the rivers Colne and Brent, and from an immense reservoir of nearly one hundred acres, fed by the streams of the vale of Ruislip, have, nevertheless, since the month of September 1850, drawn their supply from the Thames, at the foot of Chelsea Hospital, and nearly adjoining to the mouth of the Great Ranelagh common sewer.

"That the water supplied by the Grand Junction Company, to more than seven thousand families, has been pronounced, by professional men of the first eminence, to be a filthy fluid, loaded with decayed vegetable matter and other substances equally deleterious to health, and unfit for domestic purposes.

"That the Grand Junction Company, having promised to supply their customers with water, at a comparatively small charge, have, nevertheless, exacted an increased rate, equivalent, in no case, to less than fifty per cent, and extending, in most instances, to ninety and a hundred per cent; and that they obtained, in May last, the sanction of the legislature to a new Table of Rates, by which an addition of from fifty to three hundred per cent, may be levied on their customers.

"That your Petitioners are convinced, that if an inquiry be instituted by your honourable House, the several allegations of this petition will be satisfactorily established, and that means will be discovered for placing the supply of water to the western portion of the metropolis on a sure and lasting foundation.

"Your Petitioners therefore humbly pray, that your honourable House will forthwith cause an inquiry to be made before a committee of your honourable House, and your Petitioners will ever pray."
of opinion that it could not stand; and if that were the case, then there was some consolation still left to the country. It had been said, that the right hon. gentleman opposite had a "master mind," and he believed it; but if that right hon. gentleman could keep together materials so discordant as those which were now serving under him, he would show a mind much more masterly than he gave him credit for. If the manner in which those materials had been brought together were fairly stated, it would be found that there had been much preparation and previous concocting. Something had already been told about it; but he wished to have brought it to a nearer point. He had felt it his duty to put some questions to the right hon. gentleman, which he ought to have answered, in order that the country might have their eyes directed to what was going on. The first question elicited an answer, which admitted that the right hon. gentleman had received overtures from his political opponents, previous to the cessation of the last administration. He had also put another question, which, as he did not then press it, the right hon. gentleman had not thought proper to answer. On Monday last he had also put some other questions, for the purpose of clearing up the doubts which still remained. He had asked him, after that he had admitted these overtures, if he communicated them to his colleagues. And why did he put this question? Because he wished to elucidate the point he had in view, and because one of the right hon. gentleman's colleagues had denied that he knew any thing about these overtures. The right hon. gentleman, however, refused to answer these questions. Another reason which he had for viewing the present administration with suspicion was, that those who composed it had constantly held each other up to the country as advocating measures and principles which were neither wholesome nor proper. When this fact was considered, ought any one to be surprised that suspicion filled the minds of many persons in the country? No; and he believed that there was but one feeling in the country, and that the present administration would continue to be an object of considerable distrust. There was another reason which must weigh with every body. If it was true that the illustrious individual who was at the head of the country [cries of "order"]—he knew he was treading on delicate ground, and should, therefore, be on his guard. The House however, understood well what he was about to allude to; and the country was well acquainted with the total difference which existed, on one great question, between the—

Sir W. W. Wynne said, he must call the hon. baronet to order. He thought that there was nothing more disorderly than to allude to a subject which the hon. baronet was now touching upon. The hon. baronet had said that he would confine himself within the prescribed limits, and he (Sir W. Wynne) thought he ought to do so.

Sir T. Lethbridge knew how very difficult it was to describe the opinion which he had to describe; especially after the marked disapproval which had been expressed to the course which he had taken; but he was not to be deterred from the point which he was coming to. If he could not arrive at it by the limits which were set to the debates in that House, he would take the liberty of supposing a case by which he hoped to make himself understood. Suppose, then, there was a country not far from Great Britain, the monarchy of which—

Mr. Wynne rose to inform the hon. baronet, that that was not a point of etiquette, but the very essence of the constitution, on which the separation of the different powers of the state, and the freedom of debate in that House depended. He called upon the Speaker to inform the hon. baronet, that he was not at liberty to do that indirectly which he could not do directly, and that there were no means by which he could, consistently with the orders of that House, arrive at that point which he was evidently labouring to reach.

The Speaker said, he took it to be perfectly clear that that which could not be said directly, could not, in order, be stated by any circumstantial means. If he had distinctly arrived at the meaning of the hon. baronet as soon as the hon. gentleman who had called him to order, he should have interfered before. The hon. baronet must understand, that it was not allowable, by any hypothesis, to introduce any mention of the king, which would interfere with the freedom of debate, or control the opinions of that House. The use of the king's name for any such purpose in that House was not constitutional,
Sir T. Lethbridge continued. He could only say again, that when he looked at the situation in which the government was placed, and at the discordant materials of which it was composed, he was convinced that it could not stand long. The right hon. gentleman had described what passed between himself and his sovereign; and it would not be forgotten under what circumstances his majesty invested him with full power to form an administration. But what sort of an administration? Why, an administration on the grounds of he late administration. But that right hon. gentleman had formed an administration on principles directly opposite to his own, and one which could not possibly go on without a considerable compromise of principle. The House saw a considerable portion of those who had been accustomed to sit on the Opposition side now sitting on the other; and the leader of them had nevertheless declared that their principles were unchanged. Upon what were they agreed? Upon one question only, and that, too, a question which they dared not touch. But, could that question be carried now? No. He must not allude to it; but they knew very well the reason why it could not be carried. Who, then, were deceived? Why both the Protestants and the Catholics. If there was any sincerity in what all of them had said, Ireland must be in a most perilous state as long as this question was hung up and laid aside in the most shabby manner. He would say that this was not constitutional—it was not parliamentary—it was not like a prime minister; and he would tell those hon. gentlemen, that whatever their talents might be, if they were destitute of political integrity, their talents would weigh but as a feather in the estimation of the country. He was convinced that the time would come when the march of intellect [laughter]—they had heard a great deal about the march of intellect, and it now turned out to be only a matter of merriment [laughter]—the time, however, would come when considerable disgust would be raised in the public mind if they saw any compromise of principle. Was it, then, nothing for the people to look upon any body of men with contempt? To this the country must soon come, if they saw any compromise of public principle. He would contend, that this was a sufficient reason for every man to stand up and oppose the continuation of those supplies which were now nearly completed; and he should, therefore, make no apology for doing what his duty to those who sent him there, and to the public at large, demanded. He would not have found fault with the right hon. gentleman, if it had not been for the coalition that had taken place; but now he must tell him, that he had fallen from the pinnacle of his greatness, and that he must look sharp if he meant to regain it. In the cabinet which he had formed, there were not less than twelve for the Catholic question, and only three against it. Twelve to three were fearful odds; and yet it was not to be carried. The right hon. gentleman had allowed persons to slip a wedge into the cabinet, with the sharp end foremost. They had not begun to drive it yet; but when they did, the right hon. gentleman would find it difficult to prevent their driving it up to the hilt [laughter.] Honourable gentlemen might laugh; but he had seen quite enough of politics to tell the right hon. gentleman, that his situation was a very ticklish one; for who would expect that persons so different in opinion could go on for any length of time? It was impossible. The learned gentleman opposite (Mr. Brougham) had taunted him, and asked him, "Why he did not bring forward a motion?" That learned gentleman and the right hon. gentleman were now friends; and two very good tacticians they were. It was not from want of inspiration that he hesitated to bring forward a motion. If he had talent enough, he would bring one forward directly. As it was, he did not think that he should give notice of a motion on that night, nor on Monday night. Indeed, he had not yet made up his mind when he should bring forward a motion, or whether he should bring forward a motion at all. He thought he had given every proof that he was not actuated by rancour or personal hostility; but he never would flinch from opposing a body of persons who were guilty of a compromise of principle. Although he had been driven by the technical objections of the House, from a point which was the strongest, it was discussed all over the country; and the right hon. gentleman could not get over it.

Mr. Curwen did not think the hon. baronet had conducted his opposition with discretion. If he were anxious to root the present administration in the affections of
the country, he could not adopt a more effective course. For his part, he entertained an opinion favourable to reform; but he saw no prospect, at present, of carrying that measure. Reform was, however, not now the question, but whether he should withhold his support from the right hon. gentleman, in many of whose measures he agreed, and thereby promote the return to power of those to whose measures he was ten times more opposed, and who had not a tithe of his abilities. If he were asked, could he conscientiously support the administration of the right hon. gentleman, he would reply, he would give it his support, as being the most competent to extricate the country from its difficulties. Without pledging himself to approve all the right hon. gentleman's measures, he would say, "Give him fair play!"

Lord Castlereagh begged leave to disclaim all that savoured of personal hostility. The basis of his opposition was, that, surrounded by opponents to the Catholic claims, and, deserted by its supporters, he considered himself almost in an isolated situation. He could not help thinking that the Catholic question had been sunk for ever. It was true that, in the present cabinet, there were twelve in favour of that question, and only three against it; but then there was that—though he must not allude to it—which would make those twelve as dust in the balance. When he looked at that question, he could not conceive how it could be carried through, by controlling or by perverting the established opinions in the highest quarter of the state. He wished to see it carried; but he did not see any hope. They had been told that a day-spring from on high had visited Ireland; but he was more inclined to look upon it as the glare of an unworthy marshal meteor, which betrayed the traveller to destruction, and which would leave them in a state of greater Cimmerian darkness than before. He saw, on the other side of the House, great authorities for a contrary opinion; and he hoped that he was wrong. For his own part, he was unable to see how the question had been, in the slightest degree, advanced. On the contrary, he thought he might congratulate the Protestants on the decisive vantage-ground which they had gained; and he must, therefore, offer a decided opposition to a government under which the Catholic question was less likely to be carried than before.

Mr. Lindsay said, he could not give his confidence to the ministry until he had seen more of their measures. They were told, as an excuse for gentlemen taking seats on the other side of the House, that they had long agreed on almost every question with his majesty's ministers. But, if this were so, why had they remained on the Opposition side of the House so long? and why had so many divisions taken place on various questions in the course of the last few years? Were not the gentlemen who had gone over separated in opinion from the Chancellor of the Exchequer on the question of the Test act, Parliamentary Reform, and the Abolition of Sinecure Places? With respect to the finance of the country, were they not decidedly opposed to ministers? He, certainly, on some points, agreed with those who were now in office; but his support must remain in abeyance until he found whether they did or did not mean to adhere to those principles which they had formerly possessed.

Mr. Birch thought it his duty to support a ministry whose principles were manifestly more liberal than those by which several of the late ministers were actuated. As an advocate for liberal principles, he would give his cordial support to the present administration.

Mr. Wigan said, he meant to give the ministry his support, until their actions caused him to withhold it. They ought, in his opinion, to be tried by their actions before they were condemned. Nothing could be more ridiculous than to declare a want of confidence in those who had, as yet, done nothing to forfeit that confidence. At the same time he must say, that he looked with great surprise at the conduct pursued by some of the gentlemen belonging to the Whig party. They had entered into a coalition with ministers; and, as it appeared to him, they had thrown the Catholic question, as well as parliamentary reform, overboard. Brilliant hopes had been held out to the Catholics; but those hopes must be disappointed, when their most strenuous advocates were found united with individuals, several of whom were decidedly opposed to it.

Lord Sandon said, that those who had joined the ministry had not abandoned the Catholic claims. Any individual might, even now, bring it forward; but he considered it a question which, under
the present circumstances, no friend to the Catholics would force forward. He must say, that if any friend to that great question opposed the present ministry, he should find it difficult to discover the meaning or motive of his conduct. When an opposition was made to government, the intention must be to turn that government out; and what would be the effect, if the noble lord (Castlereagh) succeeded in an object of that kind? Would he thereby place the Catholic question on better grounds than those on which it at present stood? There were obstacles, be knew, in the way of Catholic emancipation. Were those obstacles the work of the present administration? Certainly not; but they were likely to be removed by that administration.

Mr. J. Gratton was perfectly convinced, that no line of conduct could better serve the Catholic cause than that of strongly supporting his majesty's present ministers. He would call the attention of the House to the fact, that those who were most decidedly opposed to the Catholic claims were also the most decidedly opposed to the new administration.

Lord J. Russell thought it would be unfair and unjust, on entering into a committee of supply, to call on a new government to state what retrenchments they meant to make. He should, however, reserve to himself the right, next year, to oppose any item of expenditure which, after the labours of the finance committee had been completed, he might deem improper.

The House then resolved itself into a Committee of Supply, in which the several Irish Miscellaneous Services were, after a desultory conversation, agreed to.

HOUSE OF COMMONS.

Monday, May 28.

Wool Trade.] Mr. Portman presented a petition from the Wool-growers of Dorsetshire. The hon. member entered into a statement of the past and present condition of the wool-growers. He observed, that they had, at that moment, in their warehouses, a stock equal to three years' produce, without the slightest hope of a market. Since the chancellor of the Exchequer had reduced the duty on foreign wool, there had been, in one year, no less than forty-three million, eight hundred and thirty-seven thousand pounds imported into this country. This enormous quantity, united with the increasing production of the country, rendered the case of the farmers almost hopeless; although, he believed, there had been a very great increase for some time in the demand. From 1824, when the first alteration took place in the duty, down to the present time, wool had fallen in price from twenty-two pence to ten-pence, at which price he believed it to be at this moment. It would be impossible for the landlords to meet the heavy demands made upon them in the way of taxation, unless agricultural produce was encouraged in a corresponding degree to that bestowed upon manufactures. With the low price of corn which they would have to encounter, and the low prices of other articles of agricultural produce, it believed the new ministry to take into their consideration the best mode of affording the agriculturists such relief, as would enable them to meet the burdens imposed upon them. Much of the support given to the present administration arose from an expectation, that due attention would be paid to the agricultural interest.

Mr. Huskisson did not think it necessary, after the judicious opening of the hon. gentleman, to detain the House long upon this subject. The hon. gentleman had very fairly stated, that he attributed the existing depression to the inordinate importation of 1825, and to the reduction in the duty on foreign wool. He (Mr. Huskisson), however, looked to another source for the distress of the wool-growers, and that was the pressure on that manufacture, of which the article of wool formed the raw material. Now, if the pressure arose from that cause, it would be an odd way—he had almost said an Irish way—of attempting to remove it, by raising the price of the raw material. Yet, this was the remedy proposed by the petitioners. The progress of the present depression was easily traced. In 1825 there was a great importation of the article of wool. This led to a stagnation in the home market—the invariable consequence of a glut; hence proceeded a fall in prices, and the subsequent distress of the growers. And this distress, he was confident, they would considerably aggravate, if they were to take away the only chance which the wool-growers had of an improvement; namely, the foreign demand for the manufactured article. It could not be questioned, that
such a consequence would result from any
measure tending to place the British ma-
ufacturer in a state more unfavourable to
competition than he was in at present. In
1825 there was a combination of causes,
which led to the unfavourable result of
that year. The extravagant speculations,
not only in wool, but in every other article
of commerce, were such, that it was not
to be wondered at, that such an enormous
importation should have taken place, as
to produce stagnation in the market, and
subsequent low prices. But it was not
only in wool that this fall of prices had
occurred. He had been looking over a
table of the prices of different articles,
only that morning—and the reductions he
found to be upon cotton, since 1825, from
1s. 6d. to 7d.; sugar from 45s. to 30s.;
silk from 1s. 5d. to 11d.; tobacco and
other articles in proportion. The present
was not, in his opinion, a proper opportu-
nity for inquiring into the grounds to
which those fluctuations might be traced;
not of investigating the causes which at
one moment had led to the extension of
particular manufactures, and at another
had almost occasioned their annihilation.
This depression (which was now clearing
off) was not confined to one branch of raw
material, but was observable in all those
with which the manufactures of this coun-
try were concerned. Now, he apprehended
that the same causes which operated to les-
sen the value of other articles used in man-
ufactures, must have equally affected
wool; and, when they ceased, the value of
the raw material would be proportionally
improved. In 1819, a duty of 6d. per
pound had been laid on the importation
of wool. Before that time, seventeen
million pounds were annually imported.
After 1819, the duty continued pretty
nearly the same up to a recent period, and
the manufacturers complained, that they
were daily losing their export trade, and
that many branches in which there had
previously been a considerable demand,
were declining, in consequence of those
duties; that they were, in fact, undersold
by the manufacturers abroad. The an-
swer made to these representations was
this—"If you will consent to a free ex-
port of wool of British growth, we will re-
duce this duty on the importation of that
article." In 1824, that argument pre-
vailed. After some discussion in the
House of Commons, the then chancellor
of the Exchequer succeeded in effecting
his object. Here it might be proper to
observe, that between 1819, when the
duty of 6d. was imposed, and 1824, when
it was modified, the price protected by
that duty of 6d. was not a high price, but
a price which continued to decline. From
1819 to 1824, the price was constantly
decreasing; but in 1825 it rose again, as
indeed every article did at that period. In
1826, the price was once more depressed;
and it now remained as low as it was in
1824. But, though it was now depressed
in value, as compared with 1825, its pre-
sent price was considerably superior to
that of 1819. Wool was 11s. per tod in
1819, and it was now from 23s. to 24s.
per tod. The hon. member for Callington
(Mr. Baring) seemed to think, that
long wool only had been subject to the
jealous interference of the legislature; but
he could assure the hon. member, that, up
to a late period, the severe penalties of
the law were directed against short
wool. The reason of the immense growth
of wool abroad was this:—foreigners
found that their corn was excluded
from this country, and, anxious to pro-
cure British manufactures, they applied
themselves to the production of that
article which they thought they could
most readily exchange for those manufac-
tures. With that view, large flocks of
sheep were encouraged; and there was, at
this moment, four or five times more
Merino wool raised in Germany than was
ever before known. It was this change of
system that mainly contributed to the de-
pression of the price of short wool. That
price was unquestionably very low at
present. It was low in comparison with
that of long wool; but long wool now
commanded a price double that which it
fetched some years ago; and he thought
that any interference with the duty now
would have the effect of depriving this
country of a considerable foreign trade. In
proof of this he should read an extract from
the last letter received by the Board of
Trade from Mexico. It was dated the 21st
of December, and contained the following
passage:—"The imports from Europe are
chiefly confined to silk, linen, cotton and
woollen manufactures. The silks are
imported from France—the linens from
Germany—the woollens principally from
England and the United States. France
also furnishes a considerable quantity of
linens. Some branches of the English
cloth-trade has declined, as the French
are able to undersell us, in consequence of the cheapness of the raw material; but the English broad-cloths have a decided advantage. In that line, the French cannot enter into a competition with us." Now, what would be the consequence if they increased the price of that species of wool which entered into the composition of every sort of cloth? Would they not thereby deprive themselves of the portion of this foreign trade which they now possessed? The facts which he had stated were, he thought, sufficient to show the impolicy of placing any additional duty on wool. Looking to the price of wool in 1825, and at present, the duty was equal to twenty per cent. He recollected, in 1825, when the British merchants went "wool-gathering" in every part of Europe, such was their eagerness to purchase that commodity, that the manufacturers on the continent, not only did not buy in competition with them, but actually sold them the wool which they originally intended to have manufactured themselves. The wool came to this country at double its ordinary price, and it soon fell fifty per cent below that ordinary price. It was impossible to prevent this spirit of speculation in a free country like ours. All they could do was to lament a system which produced such unfortunate results. With respect to the duty imposed on the importation of foreign wool into France, it was undoubtedly very considerable. Their course was this—a heavy duty was laid on the wool imported, and an account was opened between the officers of government and the importer. A drawback greater than the amount of the duty was allowed to the importer, if he proved satisfactorily that he had exported woolen goods equal in value to the quantity of wool which he had imported. This system might answer in France; but it certainly would not suit the complicated machinery of the trade of this country. On the contrary, it would create endless confusion and embarrassment. When they considered the varied manufactures of this country, in which a little foreign wool was mixed with that of English growth, it must appear impossible that such a system could be adopted here. At the same time, he did not mean to condemn that policy with respect to France. He would remind the House, that France and the Netherlands were running this country very hard, with reference to woollen manufactories; and, therefore, if heavy duties were laid on the raw material, it would be giving those countries a great advantage over England. It was clear that such a proceeding must injure the grower, who must of necessity suffer, if the manufacturer could not purchase. It would be the means of depriving the labourer and the industrious artisans of this country of that employment and remuneration, which his exertions deserved. He would tell those who were interested in the success of agriculture, that that system best deserved their support, which gave steady, constant, and full, employment to the labourer, and which afforded him good and sufficient wages. It was with a view to the establishment of that system, that the government was now acting; and, by properly following it up, they would do infinitely more to promote the agriculture of the country, than by any artificial attempt to force production beyond the fair limits of demand.

Colonel Davies reprobated the petition, as originating in the selfishness of a class seeking to place upon others the burdens which they ought to bear themselves.

Mr. Calcraft did not concur in the prayer of the petition; but, he must say, that he believed his gallant friend was the only member who would assert, that the petition deserved reprobation. His gallant friend reprobated the petitioners because they called for an additional tax on wool, which they conceived would serve their interests. They, however, were not singular in that. The fact was, that every class of persons was so heavily taxed in this country, that each man was endeavouring to throw his own burthen on the shoulders of his neighbour. With respect to the price of wool in Dorsetshire, he would contend that there was no price. The growers could not sell the article at present; and that at a time when they had the expectation of another crop coming on their hands. Still, he knew not how they could be assisted. This was but cold comfort; but he was persuaded, that the individuals most interested would be more satisfied to hear the fact, than to have any delusion practised upon them.

Mr. G. Bankes said, it would have been more considerable on the part of his gallant friend, if he had waited till the petition was read, before he passed so decided a censure on the petitioners. If he had waited, he was sure his censure would have fallen more lightly. He could not but regret that an hon. member had made any
allusion to the political changes which had recently taken place. He thought the present was not a fit opportunity for such observations. When the hon. member expressed his sentiments with respect to those whom he denominated seceders from the administration, he had heard his observations with the utmost regret. He had spoken of the seceders as individuals who had become odious to the country—as having fastened on the produce of the land. These accusations had raised feelings in his mind more painful than he had experienced on any preceding occasion. The petitioners had a right to complain that the hon. member had accompanied that document with reflections on those to whom the county of Dorset was under the deepest obligations. The petitioners in point of weight and property, were entitled to the respect and attention of the House. They had not, on all occasions, been visiting parliament with feverish complaints, and besetting the throne with fancied grievances. They had not got up addresses, first, to a supposed injured queen, and next to a supposed ill-advised king. He denied that the formation of a new government was any reason for not entering upon this question. If a delay had been occasioned in forming that government, the inconvenience arising from it ought not to be visited on the people.

Lord Milton said, he would not make any remarks on the speech of the hon. member for Corfe Castle, because it was quite clear that the speech had not been intended for that place. So far were the petitioners from having any right to complain of the course which had been taken by the member for Dorsetshire, that his hon. friend was entitled to their gratitude; and especially for the elucidation of the subject which he had drawn forth from the right hon. president of the Board of Trade—an elucidation which every candid man must allow was satisfactory.

Mr. Western expressed his doubts, whether it would be a wise policy to allow of the importation of wool from all parts of the world, free of duty. He thought that a committee ought to be appointed to inquire into the causes of the depression under which the agriculture, manufactures, and commerce of the country were labouring.

Mr. Burma said, that the speech of the President of the Board of Trade had been so clear and convincing, that it had set the question completely at rest. To impose a duty on foreign wool would be so indefensible a measure, that it was unnecessary to say a word on the subject; and, to refer the petition to the consideration of a committee, would be only to waste the time of the House, and to hold out absurd expectations; as every man of common sense must know what would be the result. No protection that could be afforded would balance the advantages which the foreign grower and manufacturer derived from the cheapness of food and labour. If such measures as were advocated by the opponents of the right hon. gentleman should be carried into effect, the wool-growers of England would get prices inferior to those which they now obtained. He should suppose, that the House would no more appoint a committee upon this subject than they would a committee to inquire into the regulation of the price of labour, or rate of wages. If the country was to thrive, it could only be upon the sound principles of commerce supported by the right hon. gentleman. This was not a new-fangled doctrine. The free importation of raw materials was an old principle of the policy of this country.

Ordered to lie on the table.

PE L R Y N  E L E C T I O N  B I L L .] On the order of the day for going into a committee on this bill, Mr. Manning said, he did not deny the right of the House to look into the former offences committed at Penryn, but he denied the justice of punishing the present electors for what was done so far back as 1807. Only five persons had been proved to have taken bribes at the last election, and this was not sufficient to induce the House to disfranchise a whole borough. If the punishment of these electors was to be increased in consequence of what had taken place in 1807, he did not see why the House might not refer to any period, however remote. He denied that Sowell had been employed as his agent.

Mr. Leigh-Keck said, he would have called Sowell to the bar, but for the disinclination of the House to hear evidence at the late hour to which the examination had been protracted. He, however, had not any expectation of getting much information from him. In 1819 the House laboriously endeavoured to elicit from him evidence, but in vain. The hon. member for Penryn had declared, that this Sowell
was not an agent employed by him. He congratulated the hon. member upon the fact; for, had it been otherwise, he would not now have had the opportunity of addressing the House. That hon. member ought not to refer to the former corruption of Penryn, when the last examination fully established the present existence of bribery in its worst sense. This was proved, as well by direct evidence, as by the efforts which other witnesses made to misrepresent facts, or to suppress truth. If this were not a case which required parliamentary interference, it was beyond his conception when parliament could interfere to check corruption.

Mr. Ferguson said, that if this was not a case in which parliament ought to exercise its power of disfranchisement, it would be utterly impossible to conceive circumstances in which that mode of proceeding ought to be adopted. He could not agree with the hon. member for Penryn, that nothing was proved against the borough. It was fully established, that an agreement for the sale of the borough had been signed by a member of that House, who had stipulated to give each voter twenty-four guineas for voting for an hon. baronet. Mr. Swan had given each voter 5l.; but he had refused to give them the breakfast; by which was meant a bribe of 24l. The last report of the committee proved a variety of instances in which money was paid for votes. After alluding to the evidence of Stanbury, the hon. member went on to express his surprise that Mr. Freshfield, who was unknown in the borough, and who, it was said, had employed no agent, should have met with such signal success. It was clear from the evidence, that it was impossible to represent Penryn without bribery. This fact was also amply proved by captain Pellew, who had been for years a resident in the borough. If they should decide upon disfranchising that corrupt borough, the next question would be, to what district they would transfer the elective franchise. For himself, he thought it would be right to give it to Manchester. If they transferred it from Penryn to the adjoining Hundreds, the whole power would, he understood, be vested in the hands of two or three great men.

Mr. J. Dentison said, there never was a grosser case of bribery and corruption than the present. The borough of Penryn had been guilty of similar practices in 1807 and 1819. The right hon. gentleman at the head of the government had, on a former occasion, stated that if a case was made out against any borough, he would support a motion for its disfranchisement. He was, he said, ready to sacrifice Grampound in order to preserve Old Sarum. Now, he called on the right hon. gentleman to adhere to his promise, to attend to the recommendation of the committee, and to disfranchise this corrupt borough. If this was not done, they could never attempt to assail corruption, however undisguised, on any future occasion. If they decided upon the disfranchisement of Penryn, he should advise, that the right of returning members to parliament should be transferred to the wealthy, intelligent, and populous town of Manchester. To transfer the right of voting to the two adjoining hundreds, would be of little avail. Cornwall, as a county, had already more than a sufficient number of representatives.

Mr. A. O'Neill objected to the course pursued with respect to Penryn. Allusion had been made to what took place in that borough in 1807 and in 1819. Now this, he thought, unfair. Were they to keep a paltry running account against this, that, and the other, borough? He called upon the House to put out of their recollection the details of what took place in 1807 and in 1819, and to decide upon the evidence now before them.

Sir C. Barrell said, that the evidence now before the House was conclusive; although it would be rendered more satisfactory in the other House, as their lordships could examine witnesses upon oath. It was a singular anomaly, that a Select Committee of the House of Commons should have power to examine witnesses upon oath, and yet that the whole House possessed no such power. This, he thought, was a matter which called for immediate alteration.

Mr. D. Barlow said, that the present electors of Penryn were about to be punished for the acts of those who had gone before them. He admitted that, at former periods, much corruption prevailed in Penryn, but a great reform had taken place in the borough since that period. It was too bad to condemn this borough upon hearsay evidence, and not upon that which was established before them. If the process of disfranchisement was employed...
against Penryn, why was it not to be carried into effect with respect to Old Sarum, Gatton, and a hundred others infinitely more corrupt? How could the House determine to proceed against Penryn, where there were five hundred voters, and delay to proceed against Gatton, where there were two seats that were always openly sold? If the House proceeded in the one case, it was impossible, with any degree of consistency, that they could refuse in the other. He thought that the reference to Manchester had only been introduced to prejudice the discussion. The committee that had sat to decide the merits of the present election, had agreed, that there was no proof of corruption against either himself or his colleague. He begged to recall to their recollection, that out of the five last elections, three had passed without any charge of bribery being made.

Lord Milton thought the borough of Penryn had been so well defended by its present member, that, at first, he really believed the favour of the House had been transferred from the hon. gentleman who had just sat down to the borough itself. But that effect had been weakened by further consideration of the case. He did not think it proper to look merely to a few recent elections; but at the general history of the borough. If, from such an examination, all the elections, or nearly all, were found to have been purely conducted, it would be an act of injustice to disfranchise the borough for one accidental offence. But the examination would prove exactly the reverse: and he did think that, after the gross corruption proved against the Borough in 1807, its repeated practices of bribery ought not now to be overlooked. In that instance, a committee on behalf of the electors and sir G. Hawkins, now a member of the House, actually entered into an agreement, counter parts of which remained in possession of the respective parties. In the present instance, the bribery had been as real, though it was not conducted with the same formality. It was said, that there were five hundred voters; but it should be recollected, that of these, one hundred and fifty came in from the neighbouring parts on the approach of an election, attracted by the 24d. and the breakfast. The general system of the place was corrupt. In treating this subject, he wished the House to proceed according to the wisdom of ancient times, and the actual principles of our government, rather than to adopt any of the new-fangled theories which had crept in of late years. He wished to see them restore, as often as circumstances would permit, the old foundations of the representative government of the country. In proposing, however, to remove the franchise from Penryn, he did not do it on the supposition, that Cornwall was too well represented: he hardly believed that it was enough so. But, to take away the franchise from Penryn, could not be to take it from Cornwall, any more than it was to take it from Jamaica. If half the Cornish boroughs were disfranchised, that would not affect the actual representation of Cornwall; because, the members who obtained seats for those boroughs, by means which he would not more particularly notice, did not represent them: practically speaking, they were the representatives of very different and distant places.

Mr. Van Homrigh said, he had been one of the members of the committee, and he thought it his duty to declare, that no act of bribery was proved against the two gentlemen who represented that place. Boroughs were not always corrupt; for he could distinctly declare, that he owed his election to the unbought, unsolicited, suffrages of the town he represented. He thought it would be a most extraordinary act to disfranchise a borough, when there was no proof of corruption against its two representatives.

Lord Althorp thought the argument of the hon. member was a very extraordinary one; and the more so, as that hon. member must have recollected, that, although the committee exonерated the two members from the charge of corruption, they had unanimously decided, that gross bribery had been practised in the borough. He felt that the House ought to revert to the former acts of the borough. The case of a borough was not like that of a man on trial for a particular crime; when it would certainly be most unjust to set the former acts of life in array against him. The case of a borough was to be determined on its constant practice; and, in the present instance, there was a practice of corruption for the course of twenty years. As a member of the committee, he must declare it as his opinion, that Penryn furnished a gross case of corruption.
Lord John Russell stated, that, after what had been said about Manchester being introduced into the discussion to prejudice the question, he should think it the more convenient course to declare; first, that Penryn ought to be disfranchised; and then when the bill was again in the committee, the proper time would arise for considering the place to which its franchise should be transferred.

The House having resolved itself into a committee,

Lord John Russell proposed, by way of amendment, that in the first clause of the bill the following words should be introduced—"That the borough of Penryn be hereafter excluded from the privilege of returning burgesses to serve in parliament.” The question of disfranchising the borough would depend upon the House being, or not being, satisfied that great corruption had taken place. He thought that, after the evidence given before the committee, there could be no doubt upon that subject. The abuse of the elective franchise had been sufficiently great, to justify the House in taking it away from the borough. The next question to be determined was, to what place it should be transferred? Some members had intimated, that it should be transferred to a large town now unrepresented; while others had proposed, that it should be given to the inhabitants of the adjoining hundreds. It would aggravate the defect to give the franchise to the hundred; as it would throw the right of election into the hands of a few large proprietors. This mode of reforming corrupt boroughs in fact created little counties, and did not tend to the general extension of the right of election. It had often been said, that trade and manufactures were not sufficiently represented in parliament; and, when cases of this kind occurred, advantage ought to be taken of them, to afford representatives to large and industrious masses of the population. A remedy would thus be gradually supplied to the acknowledged defect of the House. He therefore proposed by one bill to deprive Penryn of the elective franchise entirely; and by another, to transfer that franchise to Manchester. He moved, "That the borough of Penryn, hereafter, be excluded from returning Burgesses to parliament.”

Mr. Legh-Kenck observed, that the present bill was the same as that passed by the House in 1819, and thrown out by the lords; and it was now supported by additional evidence, taken before the late committee, and at the bar, to shew the existence of bribery and corruption. In his conscience he was satisfied, that the safest mode was to give the franchise to the hundred. He contended, that the manufacturing interest was already sufficiently represented in parliament; and that although the resolutions passed at Manchester were most temperate, it became the House to beware of establishing an evil precedent. If, on every occasion of this kind, the franchise was given to some populous manufacturing town, what would become of the much-talked-of balance between the manufacturing and landed interests in parliament? As the experiment was of injurious tendency, and as the course pursued in former instances, of extending the franchise to the neighbouring hundreds had not been complained of, he should support a like course in the present instance. If the contrary was the opinion of the committee, he should bow to it.

Mr. C. Barley advised his hon. relative not to press the question to a division, seeing that it was undoubtedly the opinion of the committee that Penryn should be disfranchised. He should give his support to the proposition of the noble lord; as he was satisfied that to transfer the right to Manchester, under certain restrictions, would be highly beneficial. One limitation he wished was, that no person should have the power to vote for a member who was not rated to the support of the poor to a certain amount. In Southwark, which he formerly represented, this plan was found to work well, for there, by certain local acts, on all houses under 20l. a year, the landlord paid the poor-rate, and the tenant, consequently, had no vote. Yet Southwark was considered a scot and lot borough. He had had no reason to complain of the electors of Southwark, and certainly he never knew a body of men better able to think for themselves, and to decide upon any great political questions.

Lord Milton said, that, by the disfranchisement of Penryn, a vacancy in the representation would be occasioned, which vacancy might be supplied upon two principles; population and taxation. With reference to both it might be urged, that a large and wealthy district of the metropolis was unrepresented—the parish of Mary-la-bonne; and he thought that it
had, perhaps, as good a title to the franchise now to be disposed of, as any other place. He protested against the principle which the hon. gentleman who spoke last wished to establish—that of confining the right of voting to an aristocratical portion of the community. The abandonment of the ancient system of the constitution in this respect, as far as regarded Leeds, and, by wishing to confine the right of voting to a certain rental, had had the effect of depriving that important town of the opportunity of returning members, and had given it to the county of York at large. He objected strongly to these fanciful devices to exclude the inferior orders from representation, whose interests most required protection. He liked to witness the influence of the inferior orders in the House. The more extensive the right was made, the less chance there was of corruption. If the franchise were general, votes would not be worth purchasing.

Mr. G. Philips believed, that the feeling in Manchester was, that the right of voting should be given to such only as were rated to the poor, for houses of the annual value of 15l. or 20l. It seemed to him that the present was a very favourable opportunity for introducing the principle of such a qualification; and the constituent body in Manchester would then consist of from five thousand to seven thousand persons.

Lord Althorp put it to the hon. member for Leicestershire, whether it would not be better to agree to the disfranchisement of Penryn absolutely; leaving it to the House to determine hereafter to what place the representation should be transferred.

Mr. Warburton thought, that to extend the elective franchise to the adjoining hundreds, would be throwing the power of returning the members into the hands of the landed interest.

Mr. Alderman Waithman expressed his approbation of the principles which had been mentioned by the noble member for Yorkshire. He fully concurred with him, that, according to the true constitutional system, representation and taxation ought to be combined as much as possible; and that the influence of the lower classes in that House ought not to be diminished, but placed beyond the reach of corruption, by the numbers to whom the elective franchise was extended.

Mr. Canning said, that, looking to what had on this, and on former occasions, occurred, he thought, that, although the degrees of guilt in these cases were different, enough had been proved against Penryn to call for the notice of the legislature; but he did not think it had been proved, that the proportion of guilty persons was so large, as compared with the whole population, as to justify the complete disfranchisement of the borough. In a question of this kind, which was no party one, but a matter rather of a judicial nature, each hon. member would form the opinion which he might consider as that which the state of the case called for. In such a state of things, perhaps, the opinion of any single individual might not be held to be of any great consequence; but the unanimous opinion of the committee upstairs was so weighty, that it would require very strong evidence to rebut it. Upon the principle which he had already mentioned; namely, that the case was one of a judicial character, he would abstain from going into any general discussion, but decide as if he were upon a jury, and bound to give a verdict strictly according to the merits of the case. He did not think that such a degree of guilt was established, as to warrant a total disfranchisement. Many were, no doubt, innocent; but, in the situation of committees of this description, the innocent must sometimes suffer along with the guilty; and, upon the whole, he believed that he should do his duty best by supporting the motion of the hon. member for Leicester. As to the case of Grampound, he had only to observe that, when it was judged proper to resort to a measure of this kind, and, to a certain extent, to trench upon the franchises of any particular place, the most constitutional mode was, not to adopt an entirely new representation, but to confine, as much as possible, the franchise, which, though strictly a public privilege, was still, in an innocent sense, a valuable private possession, to the same description of interest as that from which it was taken. He admitted the convenience, in point of debate, of separating the disfranchisement from any other question; but, in another view, he thought it was material, that the question of partial disfranchisement, and that of fixing the manner in which the franchise should be subsequently settled, should be decided together, instead of leaving the exterior question to form the subject of a new vote; and, therefore, without entering upon a discussion of the general principle, either one way or the other, he thought his vote
ought to be given for the motion of the hon. member for Leicester.

Mr. Hobhouse observed, that when he saw a *prima facie* case of corruption, he was glad to cut away the corrupted part. As to the degree of guilt which was sufficient to justify disfranchisement, the right hon. gentleman and himself had different views. He was anxious to detect the right hon. gentleman to defend. He thought that, if the right hon. gentlemen could be persuaded to separate the two questions of disfranchisement, and how the place thus made vacant should be supplied, it would be disposing of the matter in a way more honourable to the House, and more advantageous to the question itself. He hoped the right hon. gentleman would not press the question of throwing the franchise into the hundreds. Such a case had been made out against the borough of Penryn, that it would be an injustice to the constitution, if it were not disfranchised; and he did not see how this was to be done, if they tampered with that question, by introducing the question how the franchise was to be disposed of.

For his own part, he would not vote for the disfranchisement of the borough; if it was to be thrown into the hundreds; and he did hope that these two points would be separated, that the country might not misunderstand the principle upon which the House proceeded.

Mr. Wynn said, that, of all the cases which had been brought before that House, there were few in which bribery had been brought home so small a number of individuals. At the same time, there was clear moral evidence of a much greater system of bribery having been carried on, than had been brought home. One gentleman had told them, that he left Penryn, because his impression was, that he could not procure a sufficient number of votes without paying for them. Nor could he dismiss from his mind the events which had taken place at other elections at Penryn; from which it was clear, that the bribery was not casual, but systematic, and that it could be removed by nothing but the interposition of parliament. They might, perhaps, have indulged a hope, that the punishment of individuals would put an end to this practice. That experiment had been tried, but still the system was carried on. This, therefore, was a case in which the House ought to legislate. He would prefer supporting either of the propositions which had been suggested, to leaving matters to go on. He was anxious that the proposition of the hon. member who introduced the bill should be adopted, as it would then be less liable to be lost in another place, where four bills of a similar description had already failed.

Lord Sandon thought it would be a pity to neglect so good an opportunity of enabling large towns to send members to parliament. If the principle which some hon. gentlemen had insisted upon was allowed to prevail, the number of Cornish members sent to that House would be as numerous as ever. He should therefore vote for the proposition of the noble lord.

Mr. Wood, of Preston, said, that, if the hundreds were to be taken in, he would not vote for the disfranchisement of the borough; for, upon that plan, the paramount influence would be given to two great neighbouring proprietors, lord Dunstanville and sir J. St. Aubyn. He regarded the influence of the great landed proprietors, who sent the rich members into the House, with as much contempt as he did these corrupt boroughs.

Mr. W. Marshall said, that, if he understood the proposition rightly, it was to allow those persons who had acted in so unconstitutional a manner to keep their votes, but to increase their numbers. He thought that, if any change was made, it ought to be on constitutional grounds, and not a half measure.

Mr. W. Lamb adverted to the strange change of opinion which had taken place among the parliamentary reformers; for they now cried out against increasing the influence of the landed interest, and the great object of their general plans of reform had before been always stated to be to increase that influence. Such had been the alleged object of the hon. baronet, the member for Westminster, and others; and yet they now appeared to be averse to the extension of the influence of the landed interest. He should support the original motion.

Alderman Watchman opposed the throwing open the franchise of Penryn to the adjoining hundreds. He would prefer having the abuses of the representation left in their hideous deformity, to the exclusive farce proposed to be played off.

Lord Rennell was glad of an oppor-
tunity of giving his support to the chancellor of the Exchequer; who had that evening, stated that though he was opposed to the general question of reform, he would assist in effecting any practical good.

Sir J. Newport said, if ever there was a case that called for the intervention of that House, it was the case before them. Penryn had been proved to be thoroughly corrupt; not at the late election merely, but for a series of elections. Considering the anterior practices, and the evidence of their continuation, he saw no other mode of dealing with the corruption of the borough, than that of rooting it out, by transferring the elective franchise to some wealthy town at present unrepresented.

Mr. Brougham said, that in the course of the debate, both sides had assumed the guilt of Penryn. The only question was, whether that guilt should be punished by letting in the hundreds to share the elective franchise, or by transferring it absolutely to some other place? The latter mode implied a greater degree of guilt; but the former was not consistent with guiltlessness. It was clear there must be some fault in Penryn, else why should they give the franchise to the hundreds? If the electors of Penryn were innocent, why all of a sudden let in on the two hundred voters, who, for the purposes of bribery and corruption, had been made four hundred voters, the two thousand voters of the neighbouring hundreds? That form of punishment assumed that they were condemned, though not so deeply as by the other. The difference of these forms to them would, however, in effect, be very slight. The skilful voter, who looked at the property with an eye to borough objects, and regarded his vote only with a view to sell it—one of the Stanburys and Sowells—would not thank the House for the mitigated form which would let in upon him the two thousand voters in his neighbourhood. Men of that stamp did not love their neighbours as themselves. They would rather continue the monopoly of votes. He believed firmly that Sowell or Stanbury would just as lief have the borough wholly disfranchised, as retain their votes, if they shared them with their neighbours. What would they sell their votes for when they were only one of twenty-five hundred? He thought, therefore, that the disfranchisement was as complete by letting in the hundreds, as by transferring the elective franchise else-where. The corrupt interest of the parties punished was just as fully extinguished in the one case as in the other. He would not then enter into the inquiry, whether Penryn deserved to be punished. It was admitted on all hands, that it had incurred guilt. The question was reduced simply to this: whether the House should, by the one form, operate a general disfranchisement, without making any provision as to the parties who should succeed to the exercise of the franchise; or whether the House should adopt the proposition of the hon. member for Leicestershire and, by throwing the right into the hundreds, admit them to share it with the borough? If he voted for the latter proposition, it would only be advancing a few steps in the inquiry; but, if he voted for his noble friend's amendment, and if the effect of that vote did no more than merely to prepare the canvas on which the future artist might inscribe reform, he thought he should be effecting a great practical good. He was ready to admit that the question was one of the greatest importance; but he felt, at the same time, with his noble friend, that the franchise should not be extended to the hundreds, but that those who had been proved to be guilty should forfeit that right which they had too long abused. This, of itself, he conceived, was a sufficient argument in favour of his noble friend's amendment; namely, that it did not pledge the committee to any one line rather than another. Any member might give his vote for his noble friend's proposition; and, on the third reading of the bill, it was competent for that hon. member to introduce, by way of rider, a clause, by which the franchise of Penryn should or should not be transferred to this or that place. What was the naked fact? A party stood accused of malpractices, and a verdict of guilty had been pronounced. All that this bill sought to effect was, to transfer the right of systematically perpetuating a system of abuse, which was so shamefully carried on, that it grew at last too intolerable to bear; and the end by which this desirable object was sought to be effected was, by at once disfranchising the guilty borough of Penryn. Whether that disfranchisement should be total or partial was matter for future consideration; but let the House come to the determination to disfranchise the borough at once, and a great practical good would be effected. How the borough should be
dealt with afterwards, the House in its wisdom could decide; but he thought, if the question of disfranchisement were at once carried, it would not be very difficult to determine where to transfer the right of voting. The House should recollect, that there was such a county as Cornwall that returned no less than forty-four members to parliament, and then there was the whole district of Lancashire that only returned fourteen members. It was the greatest of all possible delusions for hon. gentlemen to flatter themselves that, by extending the franchise of Penryn to the neighbouring hundreds, they would effect any real good. He did not wish to say where the franchise should be placed, because he thought that question could be discussed with far greater advantage in some future stage of the bill; but this much he would say, that, by stripping Penryn of the power which its voters had too long abused, a great good would be effected.

Mr. S. Bourne said, that, if he could believe with his hon. and learned friend, that a verdict of guilty had been pronounced against the borough of Penryn, he would at once agree in transferring the right to some more deserving place. He felt that the franchise a whole borough for the misconduct, however gross, of not more than half the voters in that borough. If any gentleman could point out any way in which the guiltless, he would willingly adopt that course; but he could not make up his mind to punish both parties alike—a proceeding which, he conceived, would be contrary to every principle of justice.

The committee divided: For the original motion 69; For lord J. Russell's amendment 124; Majority for taking the Elective Franchise from the Borough of Penryn, 55.

List of the Majority and of the Minority.

**MAJORITY.**

Althorp, visc. | Baring, W. B. | Bentinck, Lord W. | Maxwell, J. |
Archdeckne, A. | Baring, sir T. | Blackburne, J. | Millbank, M. |
Barclay, C. | Birch, J. | Bright, H. | Milton, visc. |
Baring, P. | Benett, John | Brougham, H. | Monck, J. B. |
Barney, B. | Brougham, J. | Burdett, sir F. | Morpeth, visc. |
Campion, J. | Calcraft, J. | Calvert, C. | Munday, F. |
Carter, J. | Calvert, N. | Campbell, C. | Newport, sir J. |
Cavendish, R. | Cave, R. O. | Darby, lord | O'Brien, L. |
Clements, visc. | Colborne, N. R. | Dear, F. | Ord, W. |
Corbett, J. | Corbett, P. | Denison, W. J. | Osborne, lord F. |
Craddock, S. | Davenport, A. | Downie, R. | Palmer, C. F. |
Crompton, S. | Davenport, D. | Easthope, J. | Pelham, J. C. |
Davies, T. | Duncannon, visc. | Eranton, earl of | Ponsonby, hon. F. |
Denison, W. J. | Denison, W. J. | Fergusson, B. C. | Ponsonby, hon. G. |
Downie, R. | Denison, W. J. | Fitroy, lord C. | Poyntz, W. S. |
Easthope, J. | Easthope, J. | Folkestone, visc. | Price, R. |
Eranton, earl of | Eranton, earl of | Fitzgerald, J. | Proby, hon. G. |
Fazakerly, J. N. | Fazakerly, J. N. | Graham, sir J. | Protheroe, E. |
Fergusson, B. C. | Fergusson, B. C. | Grosvenor, hon. R. | Ramburh, lord |
Fitzroy, lord C. | Fitzroy, lord C. | Gordon, R. | Russell, Lord J. |
Folkestone, visc. | Folkstone, visc. | Guise, sir B. W. | Russell, lord G. W. |
Fitzgerald, J. | Fitzgerald, J. | Guest, J. J. | Russell, lord W. |
Graham, sir J. | Graham, sir J. | Heatbeote, G. J. | Russell, R. G. |
Grosvenor, hon. R. | Grosvenor, hon. R. | Heron, sir R. | Russell, John |
Gordon, R. | Gordon, R. | Hobhouse, J. C. | Robinson, G. R. |
Guise, sir B. W. | Guise, sir B. W. | Howard, H. | Robinson, lord |
Guest, J. J. | Guest, J. J. | Hunt, R. | Rumbold, C. E. |
Heatbeote, G. J. | Heatbeote, G. J. | Howick, visc. | Sandon, lord |
Heron, sir R. | Heron, sir R. | Hume, J. | Sebright, sir J. |
Hobhouse, J. C. | Hobhouse, J. C. | Hurst, R. | Shelly, sir J. |
Howard, H. | Howard, H. | Jephson, C. D. O. | Staney, R. A. |
Hume, J. | Hume, J. | Kennedy, T. F. | Sootheron, Admiral |
Hurst, R. | Hurst, R. | Labouchere, H. | Stuart H. V. |
Jephson, C. D. O. | Jephson, C. D. O. | Lamb, hon. G. | Stanley, lord |
Kekewich, S. T. | Kekewich, S. T. | Lester, B. L. | Stanley, lord |
Labouchere, H. | Labouchere, H. | Lloyd, sir E. P. | Tavistock, Marquis |
Lamb, hon. G. | Lamb, hon. G. | Lonnie, lord | Thompson, C. P. |
Lester, B. L. | Lester, B. L. | Long, lord | Townsend, lord |
Leycester, R. | Leycester, R. | Lloyd, sir E. P. | Tufton, hon. H. |
Lloyd, sir E. P. | Lloyd, sir E. P. | Lamb, lord | Tyte, C. K. |
Lombe, E. | Lombe, E. | Lord John Russell | Waithman, alderman |
Marryatt, J. | Marryatt, J. | Lord John Russell | Warburton, H. |
Marshall, W. | Marshall, W. | Martin, J. | Western, C. C. |
Martin, J. | Martin, J. | Maxwell, J. | Whitbread, S. C. |

**MINORITY.**

Acland, sir T. | Acland, sir T. | Buck, L. W. |
Acland, sir T. | Acland, sir T. | Butler, C. |
Acland, sir T. | Acland, sir T. | Burrell, C. |
Arkwright, R. | Arkwright, R. | Bourne, sir C. |
Barclay, D. | Barclay, D. | Bourne, R. |
Brougham, P. | Brougham, P. | Brown, J. |
Bunting, lord | Bunting, lord | Browne, J. |
Beauchamp, H. | Beauchamp, H. | Browne, J. |
Election Expenses Bill."

Mr. Calcraft rose at that late stage of the bill, to give its strenuous opposition to a measure, which, as far as he was aware, had never yet undergone discussion. He thought it necessary to warn the House what this bill was intended to do. It disfranchised every voter who was employed as an agent by a candidate at an election, and thus threw a stigma upon all the profession of the law. It could not be supposed that the fees which attorneys and barristers received for lending their services to the candidate who employed them, could ever act upon them so far as to induce them to give him their votes corruptly, when they were hostile to his political principles. He was sure that, in point of pecuniary emolument, all professional men were losers by being employed in elections [a laugh]. He was convinced that the case was as he had stated it. That part of the bill which prohibited the use of music, ribands, and party symbols during the election, would destroy all the fun, and spirit, and gaiety of an election, and make them the most dull, monotonous, methodistical, and puritanical spectacles that could be imagined. In point of fact, without flags and ribands, the electors would not know whose heads they were breaking, and might knock down their friends under the mistaken idea that they were knocking down their foes. It was said, that the candidates might select their agents out of those persons who were not qualified as voters; but what unqualified person would ever feel the same interest, or exert the same energies, for a candidate as the qualified person who had identified himself with the candidate of his choice? He hoped that the third reading of the bill would be deferred.

Mr. Hudson Gurney said, it was his intention to move, that this bill be read that day six months. All the malpractices which it was intended to prohibit by this bill, were, under heavy penalties, prohibited in Ireland; and every one of them were either evaded, or something worse substituted. He had just been on a long Irish election committee, and the witnesses whom it had been his lot to hear examined, proved the point he had asserted beyond possibility of dispute. In the election to which he alluded, there were whole legions of lawyers employed, not as lawyers, for that was one thing petitioned against, as it would have vitiated the return; but as active and zealous friends—for which he had no doubt but that these active and zealous friends were, in the end, well paid. If the House prevented the candidate from paying his agents regularly and openly, it could only go to his paying them through a third hand, more lavishly than he would otherwise have done, when the election was over. As to the clause which prevented any voter from wearing ribands or other mark of distinction, nothing could be more absurd, and, indeed, injurious. It was a specimen of Irish legislation, which went to put down forcefully any insignia of the thousand varieties of party association, which made faction harmless, and to divide a nation into two parties having each to other the most deadly hatred: and from Irish legislation, and Irish peace, and Irish tranquillity, and Irish elections, he trusted in heaven, that England would be delivered! They could not break English custom, do what they would; and, in almost all the places in England, half the electors voted for a riband; and it was an idle folly to suppose that, by a bill like the present, the House could make an English election as demure as a Methodist.
ist' love feast.—The hon. member then proceeded to ridicule that clause of the bill which prohibits any man from voting whilst he bore any insignia of his party, under a penalty of 10l.; and also to convince the House that no such disfranchisement all those acting as special constables; it being obvious that the friends of electors might be made special constables and paid in their places, to the great increase of that species of bribery; and if ever there were disposition to riot, respectable electors would be the persons most likely and most interested to preserve the peace.—He said, he held in his hand a letter from a gentleman very conversant in elections, stating, that he knew the means by which every clause in the present bill might be evaded, with great ultimate increase of expense to the candidate [a laugh].—He considered the present bill in every way objectionable; but was of opinion, that a great reform might be easily introduced by arrangements, under which any city or borough, however populous, might be polled in two days. This bill contained no such arrangements. It went, unnecessarily, to disfranchise a great number of voters. It was a bill easy of evasion, and producing necessarily evasion; and every one of its provisions appearing to him either mischievous, or frivolous, or absurd, he should conclude by moving, “that it be read a third time this day six months.”

Mr. Spring Rice defended the provisions of the bill; and declared that there was nothing contained in it which could possibly disfranchise a single individual. It provided merely that no canvasser, fiddler, flagman, or messenger, was to be employed for money; but he might engage himself in any of those capacities for the benefit of the candidate, if he chose to do so without demanding any remuneration.

Sir R. Wilson observed, that the member for Newton was rather unfortunate in his statement, that the hoisting of ribands prevented the necessity of swearing in an additional number of special constables. The exact contrary was the fact; as might be seen by a reference to the late proceedings at Coventry. Ribands, it was known, were very liberally distributed in that city; and yet the most violent proceedings took place there at the last election.

Mr. R. Gordon thought the bill an instance of very petty legislation, which would tend to increase rather than decrease the expense of elections. There was one clause, providing that no person was to wear these favours, or do any of these things, for six months before the election; which would be thought so comprehensive, that it would lead to a thousand inconsistencies. The Treating act had created more expense than any which was incurred before its enactment; and he was convinced the provisions of the present bill would have the same effect. Under this impression, he would vote for the amendment.

Lord Althorp defended the bill, and said he knew several instances of the employment of seven hundred constables at an election. He had heard no reason which could induce him not to press the bill to a third reading.

The House then divided: For the third reading 26; Against it 10; Majority 16.

HOUSE OF COMMONS.
Wednesday, May 30.

REGULATION OF WAGES—PETITION FROM NORWICH.] Mr. W. Smith presented a Petition from the operative manufacturers of Norwich, praying that the House would devise some means for settling, by law, the rate of wages in that city. He also presented a similar petition from certain of the master manufacturers. The first petition was signed by upwards of ten thousand weavers, who were in a state of distress, and were of opinion that they might be relieved, if the House would take their case into consideration. The master manufacturers concurred with them, and were equally anxious for the experiment of passing a law, with respect to the rate of wages, which should be binding upon both parties.

Mr. Hume objected to the prayer of these petitions. The relief which was asked for could not be granted by the legislature. The master manufacturers ought to have been above the folly of demanding a law to regulate the rate of wages; as they must be aware that if such a law were passed, various circumstances might happen which would compel them to break through all its provisions.

Mr. Peel said, that the operative weavers of Norwich had requested him to superintend the presentation of these petitions; and he had great satisfaction in according to their request, in consequence of the orderly conduct which they had hitherto
exhibited. Delegates from their body had waited upon him to explain the object which their petition had in view; and he would say this for them, that men of greater intelligence could not have been easily selected for the task. On his first interview with them, he had discouraged the idea that the legislature could be of any use to them. They proposed, that in Norwich, and the district immediately adjacent, a meeting of the master manufacturers should be held; and that the wages which the majority of them should decide upon giving to the weaver, should, if approved by the weavers, be made binding upon the minority. He told the delegates, that if such a bill were to pass through parliament, it would be destructive to the trade of Norwich; as it would induce the master manufacturers who did not approve of it to transfer their capital to some place where such a law did not exist. In consequence of that suggestion, he obtained an admission from the delegates, that such a law, if it were confined to Norwich, would be as injurious as it would be unjust; and he then endeavoured to convince them, that such a law would be no less impolitic, if it were applied to all the manufacturing towns of the kingdom. From the presentation of this petition he was afraid that he had not been so successful in his argument with them, as he had at the time anticipated. He trusted, however, that upon consideration they would see the folly of the measure, for the success of which they excited such anxiety at present.

Mr. Husdon Gurney said, that, in addition to what had fallen from the right hon. gentleman who had preceded him, he might recall to the recollection of the house, member for Norwich, that, in point of fact, the only disturbance that had happened there, was from the country weavers taking in work at a lower price than those in the city—an evil which the measure prayed for would go directly to increase.

Mr. John Wood said, he had received a petition of a similar import from the manufacturing classes of Preston. He was convinced that their prayer was such as the House could not accede to; and to produce that conviction in the minds of his constituents, he had sent them copies of the reports made by the committees which had already examined into this subject.

Mr. C. Grant admitted, with his right hon. friend, the intelligence displayed by the delegates who had been sent up from Norwich to London to superintend the management of this petition. In speaking to them upon the subject, he felt how unpleasant it was to oppose a measure which those who were suffering under great distress thought calculated to remove it. The interview which they had had with his right hon. friend had produced this good effect; that the delegates had no longer a wish to have a mere local act, affecting only Norwich. They called for a general measure, affecting the whole kingdom; and the mention of that circumstance was a proof how little relief could be expected to the distress of the petitioners from the remedy which they had themselves desired. To hope for relief from the intervention of the legislature as to the rate of wages, was not only delusive, but calculated, if realised, to aggravate all the inconveniences of our present condition, when compared with that of foreign powers.

Mr. W. Smith said, that if a temporary bill for one session would satisfy the petitioners, he should have no objection to allow it to pass. He did not expect that it would be of much advantage; but he was anxious to have it tried, in order that their minds might be quieted.

Dr. Lushington hoped it would not go forth to the public, that the House had the slightest intention to approve of such a proposition. Such a measure would, if passed, be delusive to the petitioners, and destructive to the interests of the manufacturers at large.

Ordered to lie on the table.

Dissenters' Marriages Bill.] Mr. W. Smith moved, that the bill be read a second time.

Mr. Husdon Gurney said, that he saw no reason for confining the Bill to Unitarian Dissenters, but thought all Dissenters from the church should be included; as, otherwise, the House would have application after application of the same nature. After a conversation, in which Mr. Estcourt, Mr. Hume, Mr. R. Grant, sir J. Newport, lord W. Russell, and Mr. Wyun took part, the bill was read a second time.

HOUSE OF COMMONS.

Thursday, May 31.

Publication of Libels—Motion for Reprift of One of the Six Acts.]
Mr. Hume said, he rose, pursuant to notice, to move for the repeal of one of those acts which were passed in the year 1819, commonly known by the title of the "Six Acts." It was his intention to have moved for the same thing during the last session; and, when he contemplated the changes which had taken place in the ministry, he could not help hoping that the delay would prove a fortunate one for the question which he now advocated. The House would doubtless recollect, that when these acts were passed, there reigned throughout the country great discontent, occasioned by the existing circumstances. Another objectionable restriction which the ministers of the Crown, by allowing it to expire, admitted that there ought to have been repealed:—first, "An Act to prevent the training of persons to the use of arms," and that he thought to be one of the most objectionable nature, in a free country, where every one ought to be intrusted with arms for the defence of his rights; but he did not mean to press the repeal of that act at present: secondly, "An Act to prevent delay in the administration of justice in cases of misdemeanor," which was not of a very important nature; thirdly, the eighth chapter, "An Act for the more effectual prevention and punishment of blasphemous and seditious libels," which contained one of the most obnoxious clauses in the whole of the acts—he meant that clause which made trans-
any part of the united kingdom for sale, and published periodically, or in parts or numbers, at intervals not exceeding twenty-six days between the publication of any two such pamphlets or papers, all such pamphlets or papers shall be deemed and taken to be newspapers, and be subject to newspaper stamps." Now, he would ask, was not this clause framed for the purpose of checking the circulation of opinion, and putting an end to the freedom of remark? It was highly improper, at a period like the present, to endeavour to check the circulation of those cheap and meritorious works, that afforded so much information to the working classes. It was said, that this act would have the effect of affording relief to the regular newspapers; but experience proved, that the newspapers were not at all either relieved or protected by it. As to the question of revenue, it surely never could be contended, that the additional number of stamps consumed in consequence of the passing of the act was an object which the government might not think proper to forego. The fact was, that the revenue was not at all benefitted by the operation of the law. By the fourth clause it was enacted, that the publication of every such pamphlet or paper should take place on the first day of every month, or on the second or third day following. Such a restriction was absurd and unnecessary; and the sooner it was dispensed with the better. The House should bear in mind, that there was a considerable difference between the year 1817 and the present period. Distress and difficulty had then thrown the manufacturing classes into a state of alarm and disorder, and scenes of tumult and riot were frequently exhibited. When, however, the cause which had led to such excesses was abated, the manufacturing classes, by means of the circulation of cheap publications, the institution of circulating libraries and mechanics' institutions, turned their thoughts to subjects of a better nature, and they received with avidity such information as was circulated by the means to which he had alluded. Now, the cause having ceased, was it necessary to continue a law, the effects of which were so unjust and severe?—The hon. member then alluded to the present state of the law of libel, and proceeded to quote the opinion of sir James (then Mr.) Macdonald, when the Newspaper Stamp-duites Act was the subject of discussion in the House in the year 1819. That hon. member had said, that "the services rendered by the public press to the cause of the country throughout the late war were scarcely calculable, and yet, upon this press it was now proposed to impose a most galling chain." He found the following passage in the same speech:—"The House had heard, that a censorship was once in contemplation. How far the question had been entertained, and why that measure had been rejected, he could not say; but this he would say, that these bills comprehended little less than an absolute censorship, and the worst and most contemptible of censorships—that of money—which did not measure a man's intellect or intentions, but his purse."—The hon. gentleman then referred to other speeches spoken on the same occasion, and proceeded to quote extracts from them. He felt convinced there were but few in that House who would differ as to the necessity of erasing from the Statute-book a law which was so unjust. Those acts had caused considerable irritation in the country. Not a day passed that some individual had not to complain of the shackles which they imposed. No time, therefore, ought to be lost in procuring their repeal; and there could not be a stronger argument in favour of such a measure, than the knowledge that the law had failed to benefit the revenue, and was a bar to the diffusion of that information which was so essential to the welfare of the industrious classes. He then moved, "That leave be given to bring in a bill to repeal the 60th Geo. 3, ch. 8., subjecting certain publications to the duties of stamps on newspapers, and to make other regulations for restraining the abuses arising from the publication of Blasphemous and Seditious Libels."

The Attorney-General said, he supposed that the hon. gentleman's motion was brought forward in the hope of discovering, that, with the new government, a new system upon these subjects would be introduced. Now, if this was the feeling of the hon. gentleman, he had adopted that course of proceeding, which was, of all others, the least adapted to his purpose. The very circumstance of that government having been so recently formed, would have prevented any man of ordinary judgment from mossing such a question. His hon. friend, however—and he must suppose him sincere in the declaration—
had said, that he was making this proposition in a perfectly friendly spirit to the government. He was bound to acknowledge, that, on the first night of his taking office, the hon. gentleman had been so courteous, as to intimate to him his intention of introducing this question, in the event of its not being introduced by the law officers of the Crown. His hon. friend's friendly intentions to the government, he did not dispute; but, assuredly, they ran before the views of that government. The hon. gentleman had favoured the House with various extracts to the speeches of 1819. The hon. gentleman had omitted, however, to state—what was very material—that those speeches applied to the bill in its first shape, and that, in its progress through parliament, perhaps, in consequence of those very speeches, it received considerable alterations and improvements.

The right hon. member for Knarsborough, who took the lead in the discussions, expressly stated his approbation of that part of the measure, which put certain periodical publications on a footing with newspapers. Besides, it was neither parliamentary logic, nor just reasoning, to say that, because a bill is hypothetically opposed, depending upon experiment, those who resisted it in the outset were bound to support its repeal, after the lapse of nine or ten years, during which it had shown itself a useful agent in the preservation of the well-being of the state. Looking at the merits of the 60th Geo. 3. ch. 9, he should say, that there were some parts of it so advantageous, that he would not consent to the repeal of them. Its object was, to place upon the same footing as newspapers, all small periodical publications published at a shorter interval than twenty-six days, and containing narratives of public events, or comments upon them. The reason was obvious; namely, that what were, in fact, newspapers, might not be published once, twice, or three times a week, or oftener, at the price of only twopence. In that form, a number of seditionious and blasphemous publications, the existence of which was regretted on all sides, had been circulated. Various modes were suggested for putting an end to their distribution among the lower orders in particular. Some thought that prosecutions by the Attorney-general ought to be more frequent, and he had been among that number; others were of opinion that a measure was wanted that might lead to the detection of the authors of the poison so industriously disseminated; and no man doubted, that if such an object could be attained, it would be advantageous to the public interest. It was, in a great degree, accomplished by requiring the affidavit at the Stamp-office, for pamphlets of a certain size and price, in the same manner as the proprietors of newspapers were registered.

No man doubted the policy of the law imposing the necessity that the names of some of the proprietors of every newspaper should be seen at the Stamp-office. It enabled parties libelled to trace the authors, and to obtain a remedy, while it had not at all prevented the press from attacking with severity either public or private men. He was a warm friend to the freedom of the press at all times, and in all places; and he would assert, that there never was a period when it possessed greater freedom than at the present moment. His hon. friend had said, that the revenue had derived no profit from the additional stamp-duty derived under this act from periodical publications: now, he was free to confess, that he was not informed upon that part of the subject; and perhaps it would be as well to wait until the Chancellor of the Exchequer had laid his financial statement before the House. It would then be seen how far the hypotheses of his hon. friend were founded on fact or otherwise. In 1819, opinions were much divided on the subject of the Six Acts. They all met with opposition, but certainly that which was the object of the present motion was looked at with much less antipathy than the rest. Neither did it follow that, because an act was resisted as a whole, there were not parts of it, which, taken by themselves, might not be approved. The hon. gentleman had contended that, because a temporary law had expired, a perpetual law ought to be abrogated; and, by a felicitous mode of reasoning peculiar to himself, had argued that temporary and permanent acts were to be viewed precisely in the same light. Such logic, perhaps, it became the hon. gentleman to use, but would not become the House to adopt. It did not satisfy his understanding, although it might be quite convincing to the mind of the hon. gentleman [a laugh]. There certainly were one or two clauses contained in the bill which he could have wished were altered; but he was not therefore of opinion that the act should be repealed altogether. He owned
he had his doubts respecting the justice of the clause calling for a recognition. The present, however, was not the most favourable time for doing it. His hon. friend had spoken a great deal about the diffusion of knowledge and the advantage of disseminating cheap publications through the country; but, could his hon. friend complain with justice that there had been any check to the spread of knowledge through the country? Now, he would ask his hon. friend, on what principle of justice he could say that "The Times," or "Morning Chronicle," should be subject to a stamp-duty, while other publications, furnishing similar matter, should be free from any charge? As to the public press, they most likely had no feeling about the matter; but he thought not unreasonable that the law relating to periodical publications should stand, and that cheap works, got up without any risk and but little trouble, should not be suffered to usurp the place of the regular newspapers. If the hon. member had confined his objections to particular clauses of the act, he might have taken a different course. He begged, however, not to be considered as pledged on the subject. He had not the slightest intention to say anything offensive to his hon. friend; but, with all his respect for his hon. friend, and feeling much obliged to him for the good he had done in certain respects, he was by no means prepared to take his hon. friend as an authority on subjects of general legislation. As his hon. friend had not stated any particular evil produced by the measure, he was not prepared to rely on his judgment, with reference to the question of its general character and tendency. His hon. friend had many claims on the gratitude of the public; but he had no claim to make him consider his hon. friend as a sound authority on all points of legislation. He was, therefore, under the necessity of telling his hon. friend, that, however kindly his motion might be meant to the new administration, he felt it his duty to meet it with a direct negative.

Mr. Peel said, that no person who had listened to the speech of the Attorney-general could have any reason to complain of the course which he had pursued. It was infinitely more manly to take the straightforward course which the learned gentlemen had taken, than to follow the example of the other hon. gentlemen, who were now absent from their places, who had resisted, in 1819, the enactment of the bill, which the hon. member for Aberdeen sought to repeal. He honoured the Attorney-general, for the manliness with which he had declared, that he would not sanction the repeal of this bill without inquiry into its practical results, because he had originally resisted its enactment. If all the gentlemen who had recently joined his majesty's administration had pursued a similar line of conduct, and had stated their reasons for not adhering to the opinions which they had formerly expressed, they would have done themselves more honour than they now did by staying away from the debate, and withholding from the House the sentiments they entertained upon it. At the same time, he would not say that the grounds on which the Attorney-general had resisted the repeal of this act were altogether satisfactory. It was, however, highly satisfactory to those who in 1819 had supported this measure, and who, in common with those who had introduced it from a sense of duty, had been subjected to a load of obloquy—to hear the correctness of that policy now maintained by a learned gentleman, who had formerly arraigned it. It was highly satisfactory to see a tardy justice performed to the memory of a noble friend of his, who had been more foully calumniated than any individual with whom he had ever been acquainted. His noble friend, the late marquis of Londonderry, was the individual who had proposed this act to the House, in common with the five other acts which accompanied it; and for performing that painful act of duty in times of distress, and difficulty, and commotion, his memory had been loaded with every species of obloquy which ingenuity and malignity could invent. He begged leave to remind the House, that some of the measures which his noble friend had then proposed, were permanent, and others temporary. The present bill was one of those which were permanent, and not the least strenuously objected to. His majesty's Attorney-general was wrong, very wrong, in stating that this particular bill met with but slight opposition. Not one of the six acts was more pertinaciously resisted than this very act, against the repeal of which he expected that there would that night be an overwhelming majority. The amendments, to which the Attorney-general had referred, were not intended, by the movers of them, to reconcile the House to the mea-
measure; for it was resisted again on its third reading; and in every shape in which the forms of the House would allow any opposition to be made to it. He repeated his admiration of the manly course which the Attorney-general had that night pursued, in recording his approbation in 1827 of the measure against which he had divided in 1819. He hoped the House would permit him in justice to the memory of his noble friend, the late marquis of Londonderry, to take advantage of the admission made that evening by his majesty's Attorney-general, and to show from it, that if the practical operation of this act had not been to impose fetters upon the press, and to curtail the general freedom of the subject, his noble friend's memory stood absolved from all the foul obloquy which had been so plentifully bestowed upon it. He was not quarrelling with the Attorney-general, for the sentiments which he had that night expressed; but he could not help calling the attention of the House, over and over again, to this peculiar circumstance—that, by the vindication which his majesty's Attorney-general had that night offered for his own conduct, was the vindication of his noble friend's political conduct in 1819, rendered complete. His noble friend had been told at the time, that the bill was calculated to impress the rising genius of another Berke, struggling with the difficulties of poverty, and endeavouring by his talents to carve out for himself an honourable name and condition in society. His noble friend had denied that this bill was calculated to produce any such effect. His noble friend was right in such denial; and he had now the satisfaction of hearing his majesty's Attorney-general admit that this bill did not lay any practical restraint on the freedom of the press. Those who proposed this bill had now their vindication, and a vindication which was the more honourable to them, as it came from the lips of their political opponents. If it were right now, in times of tranquillity, when there was little sedition and blasphemy abroad, and when those who attempted to corrupt the public mind by such publications were comparatively insignificant in number; if it were right now to resist the repeal of this act, was not his noble friend justified in 1819, when attempts were making in all quarters to poison the mind of the lower classes, in proposing a measure, of which the practical operation was admitted to be as beneficial as his noble friend had anticipated that it would be? He begged leave to remind the House of the situation in which the country was at the time when this act was proposed. In 1819, the grand jury of Chester felt it their duty, at the close of their labours to present an Address, either to his Majesty or to that House—he forgot exactly which—in which they attributed all the evils which were then desolating part of the country, to the efforts which were made to distribute blasphemous and seditious publications among the lower orders. As a proof of the extent to which those efforts were carried, they stated that attempts had been made to corrupt the servants of their families, by the gratuitous introduction of two-penny pamphlets, abounding with sentiments hostile to the institutions of the country, and calculated to sap the principles of religion and morality. If gentlemen would turn over the letters which sir John Byng, who then commanded the military forces in the manufacturing districts, had addressed to the government, they would see that there had been six attempts made in one week to corrupt the soldiers under his command, by means of these cheap productions. He referred to these circumstances as so many proofs that his noble friend, the marquis of Londonderry was justified in imposing temporary restraints on the freedom of the subject, and permanent restraints on the licentiousness of the press. He had now had the satisfaction of hearing the permanent operation of those latter restraints defended by those who had originally opposed them; and, as his object was answered by calling the attention of the House to that fact, he should sit down, happy that an opportunity had been afforded him to do justice to the memory of his late noble colleague, and to rescue it from the dishonour with which the malice of his enemies had endeavoured, but in vain, to overwhelm it.

The Attorney-General complained of the misrepresentation which the right hon. member had given of his speech. What he had stated was this: that all the clauses of this bill were not opposed by the party with whom he had the honour of acting; and he had referred to a speech made by his right hon. friend, the member for Knaresborough (Mr. Tierney) who was now absent from indi positions, to show that he had approved warmly of those
parts of this bill which were now most loudly inveighed against by the hon. member for Aberdeen. He did not intend to vindicate himself from any charge of inconsistency, for he did not suppose that any such charge could be brought against him; neither did he intend, by any thing he had said that night, to retract any one principle on which he had bottomed his opposition to the mass of bills which were introduced by the noble marquis in 1819.

Lord Milton said, it was difficult to ascertain, from the speech of the right hon. member for Oxford, whether his object was, to exculpate the conduct of his late colleague, the marquis of London-derry, or, under pretence of exculpating his conduct, to inculpate the conduct of other individuals. It was of little consequence which of these two objects he had in view; for in both of them he had signal and lamentably failed. What, in point of fact, had been the defence which the right hon. gentleman had made for his late colleague, the marquis of London-derry? Neither more nor less than this—that because, in the year 1827, his Majesty's Attorney-general thought proper to resum a motion for the repeal of one act out of six, to the passing of which he had been hostile in 1819—an act too, be it remembered, which was confessedly that to which the slightest opposition was made—he was therefore to be considered as approving of the whole mass of the measures which had been opposed, not only by himself, but by most of his hon. friends who were now present, as also by those who were absent, and on whose absence the right hon. gentleman, for some purpose which he did not understand, had commented with great severity. For himself, he hoped, that those of the six acts which were unrepealed would not long remain so; and, in making that remark, he particularly referred to the bill which rendered an individual twice convicted of libel, subject to transportation. He confessed that a great deal of his confidence in his majesty's government would depend on the manner in which they dealt with that act—an act which he should ever deem fatal to the liberty of the subject and the freedom of the press. With regard to the repeal of this particular bill, after his learned friend's declaration, that he wanted time for inquiry into the practical results of it, he must say that it was matter of little moment whether it were either repealed or discussed, during the present session; and, therefore, he thought that those gentlemen, whose absence the right hon. gentleman had so severely arraigned, might be excused for their non-attendance, seeing that the time of discussing this motion was of such very little importance. With regard to the general mass of measures brought forward by the government in 1819, he could not help asking the right hon. gentleman how it happened that, when upon a former night he was making an exposition to the House of the motives which had induced him to resign his office as Home Secretary, and giving an account of what he had done whilst in that office, he had not taken credit to himself, for not renewing some of them which had expired?

Mr. Peel.—I did take credit for not renewing them.

Lord Milton.—That gives me the very point which I wish to make out against the right hon. gentleman. If the right hon. gentleman takes credit to himself for not renewing certain acts, it could not have been very creditable to him to have originated those acts.

Mr. Peel.—The acts in question were merely temporary.

Lord Milton.—If the right hon. gentleman did not think it expedient to renew them, it is quite evident that the measures, though temporary in their enactment, were not such as he could have had either pleasure or credit in enacting. The measures, for which the right hon. gentleman seemed to think that he had that night made a most triumphant defence, were infringements on the liberty of the subject, and inconsistent with the spirit of the constitution. The bill which the hon. member now sought to repeal was so perfectly unimportant, that he did not know whether he should give himself the trouble of waiting in the House to see the determination to which it might come.

Mr. Lennard thought it was a little unfair, on the part of the right hon. gentleman, to attribute to the Attorney-general approbation of the whole six acts, because he had not expressed unequivocal disapprobation of one of them. He begged to recall to the House, that he had himself moved for the repeal of two of those acts. He had not included the act under consideration in his motion, because he did not at that time, nor did he at present, think that its total repeal was necessary.
But, although he was not disposed to support the total repeal of this bill, there were clauses in it which he thought might be advantageously got rid of. The bill was divided into two parts. The first related to the revenue, and put small periodical pamphlets on the same footing as newspapers. As far as the act sought to attain that end, it was unobjectionable. The hon. member for Aberdeen had not made out any case in favour of those pamphlets which he had so warmly recommended. He knew of no merit they possessed, sufficient to withdraw them from the operation of this act; on the contrary, when he reflected on the manner in which they had abused the real freedom of the press, he thought it was well applied to them. The second part of the act he considered to be objectionable. He particularly referred to two clauses; of which one called upon the printers or publishers of pamphlets to enter into recognizances before they commenced either printing or publishing; and the other gave to any justice of the peace power to call upon any person charged before him, with the printing or publishing of a seditious or blasphemous libel, to enter into recognizances for his good behaviour, until the time of trial of the alleged libel. He had stated his opinions so frequently on the subject of the freedom of the press, that he deemed it unnecessary to repeat them. He would take advantage of the present opportunity to state, that he deemed it his duty, as a friend to liberal principles, to give his support to the present administration.

Sir R. Wilson said, that, whilst he admired the motives which had induced the right hon. member for Oxford to pass his laboured eulogium on the memory of his colleague, the late marquis of Londonderry, he could not think that the passing of such an eulogium was in the best taste; seeing that it must almost inevitably provoke a discussion, which, for various reasons, it was advisable to avoid. This was the first time, since the event of lord Londonderry's death, that he had ever heard any discussion raised in parliament on the merits of his political character. There had been a delicacy observed on the subject, arising out of feelings to which he would not further allude. The noble lord who had spoken from the other side of the House, had said, and with truth, that the right hon. member for Oxford, in his exposition of his conduct on a former night, had adverted, with a just and laudable pride, to the manner in which he had preserved the peace of the country, under circumstances of great difficulty, danger, and distress. The reason why the right hon. gentleman had so adverted to his conduct, was evident to the slightest observer: he felt the contrast, and he knew that the country would also feel the contrast, between the measures adopted by himself and those adopted by his predecessor. He had never fled in time of danger to those suspensions of the Habeas Corpus act, and those other measures of violence, which the late marquis of Londonderry seemed to consider the conservative principles of the British constitution. He was entitled to full credit for the policy which he had pursued; and he knew that that credit would be given to him by all his countrymen, who reflected on the difference between his measures and those of his noble predecessor. With regard to the present motion, he considered it to be one which deserved the serious deliberation of the Attorney-general during the recess. The repeal of it would, in his opinion, give additional popularity to the administration, and would be useful in that respect, not only to the administration, but also to the public, whose welfare he conceived to be intimately connected with its success. For that reason he should oppose the present motion. He regretted that that hon. member should have pursued the course which he had pursued that night, after he had pledged himself to him [Sir R. Wilson] in private, that he would suspend his motion for the present session, if asked to do so by the Attorney-general. He left the House to judge what that hon. member's feelings must be. For himself, he would not pursue that subject further, lest he should express himself towards the hon. member with too strong feelings of reprobation. He [Sir R. Wilson] had come to the ministerial side of the House, not by that circuitous path which gentlemen generally followed in moving from one side to the other, but boldly and unblushingly, at once [per, and a laugh], because he had come with the colours of liberal principles flying, to support a ministry, formed for the purpose of uniting the prerogative of the king with the liberty of the people, and which was pledged to pursue a course of policy, alike calculated to ensure the prosperity of the country, and to maintain those principles.
unimpaired on which its honour and glory could alone safely repose. It was the consciousness that such a ministry was now in existence, that had led the Catholics of Ireland to suspend their claims for the present, and to trust for redress to the justice and wisdom of those in power. It was the consciousness that their dearest interests were no longer in jeopardy, that had led the reformers of Great Britain to suspend their efforts, and to satisfy themselves with the good which would inevitably flow from the general measures of government. It was the consciousness of the liberal tendency of the measures of administration, that had lately determined the Dissenters to suspend their prayers and applications for a redress of grievances; and it was that same consciousness which led him to oppose all motions calculated to embarrass the government, no matter whether they came from an open foe, or, from what was more detestable, an insidious friend. He came to the House prepared to defend the government, either from open assault, or invidious attacks, which were calculated to prejudice its character, and to produce a schism among its supporters, which could not fail to be injurious to the best interests of the country. For these reasons, he should also give a direct negative to the motion.

Mr. Canning said, that although his hon. and learned friend, the Attorney-general, had already disposed of the question before the House, he was anxious to explain the reasons why he resisted the present motion. If it were contended, that every gentleman in that House was bound, by any vote he might chance to give in the progress of a measure, to continue to oppose or to uphold that measure, as the case might be, for all time to come, when it was passed into a law, the inevitable consequence would be, as in the present instance, to debar individuals from the free exercise of their judgment. The hon. member who brought forward this motion had observed, that a partial change of ministers ought to be accompanied by a partial change of measures, and that a total change of ministers should be followed by an entire sweeping away of all the former acts of government. Now, it appeared to him, that to expect that gentlemen were constantly to adhere, under all circumstances and times, to an opinion once expressed, was about as reasonable as it would be to address his learned friend, the Attorney-general, who, in his capacity of advocate, excelled all other men, and to demand of him, although a judge and jury had decided against his opinion, because he had, in his opening speech, expressed that opinion, still to adhere to and defend it. Would it be just to say to him, "Though the judge has charged against you—though the jury have decided against you—though the public hold that decision to be correct— notwithstanding all these things, I shall keep you to the expressions you made use of in your opening speech: you shall not change your first opinion; and I hold you at my call to come forward to support your former arguments, however fallacious you may conceive them to have been, and to deny the justice of the decision itself."? If experience were to go for nothing—if the fixing of the law on the Statute-book were to go for nothing—if the sense of the country were to go for nothing—if the oblivion of the country as to the circumstances under which these laws were passed (an oblivion which the hon. gentleman had disturbed, by calling back the memory to times of danger) were to go for nothing—then there might be some show of reason in blaming those persons who had objected to the enactment of the bill, for not supporting the present motion. But it was, in his opinion, utterly preposterous to recur to the origin of this law—to go to the Statute-book, and then to call for its repeal, merely on the ground that it had been strongly opposed at the period of its enactment. Did he then mean to say, that if this statute had disappointed the public—if it had been injurious to society—if, in its operation, it had created greater evils than it was meant to remedy—did he mean to say, if such were the case, that because the bill had passed into a law it was therefore to stand? He asserted no such thing. What he said was, that this question of repeal must stand on its own grounds with respect to this motion; and must not be considered with reference to the opposition which the
bill had encountered in its progress, or to the success of that opposition. The question, therefore, was, not how this law originated, but whether, in the law itself, there was any thing so absurd, so mischievous, or so inconvenient, that parliament was called on, at that precise moment, to interfere, for the purpose of repealing it. The argument of the hon. member for Aberdeen was, that this statute ought to be repealed, because it was impossible to remain and continue in force: and he contended, that the mortality of the perishable part ought to extend to that part which the law was intended to survive. This was an argument so inaccessible to his mind and judgment, that he knew not how to deal with it. The contrary of this proposition was, he thought, the true one. If all the laws, thus passed together, were necessarily connected, and one of them failed, or proved injurious, then he could understand why any hon. member might demand the repeal of them all; because it might be inferred, either that the principle of the original enactment was wrong, or that it was useless or mischievous in its operation. But how stood the case here? Some of those laws were thought fit to exist as part of the legislation of the country, whilst others were suffered to die, because they grew out of peculiar circumstances. Parliament clearly saw the situation of the country; and therefore provided, that the operation of a part of those laws should cease at a particular moment. The legislature anticipated the difficulties that might arise, at the time those laws were discussed; and therefore, they had sanctioned some of them as temporary measures, while others were deemed fit to remain permanently on the Statute-book. Now he would ask, whether there was in this law any thing so practically objectionable as to call on parliament to repeal it; and at a moment, too, when the voice of the country was never more silent with respect to its existence? He really believed that it would be necessary to go from one end of the country to the other, and to tell the people that this law existed, before they could get them to express any opinion about it; and he further believed, that a more warrant incitement to a knowledge of, and a dissatisfaction with, the law, could not be found in parliamentary precedent, than was furnished by the motion of the hon. member. The hon. member had argued, that this law infringed upon the liberty of the press, and shackled the exertions of public writers. One would suppose, from the statement of the hon. member that, if a man had been absent from this country for ten years, and were to revisit it at this time, he would exclaim—"The people are suffering under the most dreadful grievance: the liberty of the press is destroyed: no public man is now talked of: there is no private scandal published: I wander about this town and hear nothing of any body! The press is absolutely broken up: no type, no paper is left."

Such was the grave speech, which, according to the statement of the hon. member, the people of this country laboured under, and, in common with himself, felt most deeply; and he called on parliament to remove the grievance by repealing this bill. But, how would the success of his motion assist the rational liberty of the press? To solve that question, they must look to the provisions of the act which were directed against blasphemous publications. To come within its enactments, some party must call out "Let us have some blasphemous publications," then those publications must be less than two sheets; and lastly, the author himself must value the product of his brain under sixpence. These were the three points contained in the bill which the hon. member wished to repeal. It referred to blasphemous, two-sheeted, and under-sixpenny publications. In order to remedy this, which the hon. member considered as a mighty evil, he called on parliament to undo its own solemn and well-considered act. Yes; he called on the members of that House to put their hands to the hallowed work by which blasphemous, low-priced, and small-sized publications were to be disseminated through the country. But, could not the provisions of this bill be evaded? Could not the adventurous publisher come out on the twenty-eighth instead of the twenty-sixth day? Could he not "screw his courage to the sticking-place," charge sixpence-halfpenny, and thus escape the enactment of the law? He again begged the House to bear in mind, that the law only affected those who dealt in blasphemous publications. He thought that, at the present day, the people of England
could not complain that any great degree of restraint was placed on the press. There was not that sort of deficiency of abuse and vilification thrown out by the press, as to render it necessary that this new sluice of annoyance should be opened. He believed that at no former time was there such a body of useful and valuable information disseminated amongst the people, at so cheap a rate, or received by them with so much avidity. It was certainly the fact, that the present times differed materially from those in which the law impugned by the hon. member was framed; and perhaps the change might be attributed, in a great degree, to the operation of that law. They had now all the advantages of a free press, purged from some of that mischief which the law now under discussion was specially provided to meet; and he, valuing a free press as highly as any man, would not consent to poison a wholesome stream, by the admission of a foul current, which had happily been dammed up.

Lord Howick expressed himself surprised at the remarkable discrepancy between the sentiments uttered by many gentlemen on this occasion, and those which they had been in the habit of expressing so strenuously before they had quitted the Opposition side of the House. He thought it essential that the House should assent to the motion. He could not agree, that this was a measure of little importance. The act was productive of great mischief. The clause which enacted banishment was disgraceful to the character of the country; and it pressed equally upon proper and improper works; for no man could guide himself clearly by the law of libel as it then stood.

Sir J. Newport said, that the restraints with respect to small publications, which it was the object of the hon. member to remove, applied equally to newspapers; and if he did not maintain, that the restraints with respect to newspapers should also be removed, he had no ground to stand upon.

Mr. Warburton observed, that at an early period of the session, the learned member for Winchelsea expressed a hope that this measure would be repealed. He was sorry that, instead of a bill for the repeal of this act, the motion had not been for a bill to amend it. He, however, should support the motion, because it was not sufficient to state, that no practical inconvenience had been felt from the bill: it was enough to know, that the principles on which it was founded were decidedly bad.

Mr. Hume, in reply, observed, that his gallant friend had said, that he was ready either to oppose an open enemy, or an insidious friend. He hoped the gallant officer would always do so; but he could assure him, that neither of the terms applied to him. In bringing forward the motion he had not broken any pledge. He was ready to have abandoned the motion, if the Attorney-general had promised that he would introduce it next session. He had committed no breach of faith; for he had fairly stated that he should be compelled to submit his motion to the House, unless the Attorney-general promised to take the subject up. He would read to the House his letter to the Attorney-general, and then they could judge whether he had acted fairly. The hon. member then read the letter, in which he stated, that "he must bring the motion forward, unless the Attorney-general consented to take it out of his hands, by moving for the repeal himself, and thereby securing to the new administration that popularity which such a measure would produce." Was there any thing unfair in this? His conduct in that House, or anywhere else, should always be such as would bear investigation. He argued the question on general principles; and, if general principles were not to be considered in discussing a measure of this kind, it was impossible that acts of parliament could ever be debated. He saw no part of this bill which the Attorney-general could fairly maintain, if he held those principles which he entertained when he sat on the Opposition side of the House; for all its enactments trenched on the liberty of the subject, and restricted the freedom of the press. The bill went, in fact, to maintain a strict censorship. It was ridiculous to say, that few persons, except himself, were cognizant of the existence of this measure; but, if it were true that the people and parliament of England had forgotten it, still he should pride himself, as the only man in the country, who had adhered to his opinion, and kept the subject in view. He believed, however, that the right hon. gentleman moved in a circle where public opinion was not known, and which was frequented by those who rather wished to pamper his vanity than to give him useful information. He should take the sense of the House.
upon his motion. If the present ministers wished to preserve the good opinion of the country, they could take no course more certain, than by removing every shackle from the liberty of the press.

Lord W. Russell said, he must oppose the motion, although with regret, as it gave a seeming contradiction to that which had been the tenor of his whole life—the support of public liberty in its most extended sense. He was not in that House when the six acts were passed; but he was opposed to them; with the exception of the one under discussion; and that he was friendly to, because he felt that blasphemous publications ought not to be circulated.

The House divided: Ayes 10; Noes 120.

List of the Minority.

Dawson, A. Pelham, C.
Ferguson, earl B. Warburton, H.
Hopehouse, J. C. Wood, John
Howick, lord Tellers.
Lombe, Edward Maitland, capt.
Maitland, capt. Hume, J.
Mounch, J. B. Wood, alderman

HOUSE OF LORDS.

Friday, June 1.

New Administration.] The Earl of Winchelsea, understanding that parliament was likely to be prorogued in a few weeks, considered that he should not be scolding with courtesy to their lordships, and in particular to the noble marquis, who had expressed a wish to be informed whether it was still his intention to bring forward the important motion of which he had given notice—if he allowed the House to adjourn without giving an explicit answer on the subject. When he gave notice of that motion, he did so with the strong conviction, that his majesty's government, formed as it was, by the coalition of two opposite parties, was such as did not present that uniformity of feeling which entitled it to the confidence of the country. From that consistency and integrity which he had marked out as necessary to the political character of an individual, he certainly conceived it impossible that those individuals could abandon those political opinions which they had for so many years warmly advocated, as the country supposed, from a strong feeling that they were necessary to the welfare of the country. When he considered, that the settlement of questions of the greatest importance had been avowedly stated by those who were considered the leaders of their party, as tending to the ultimate tranquility of the country; and when he remarked that those members of the late government, who formed part of the present government, had been strongly opposed to those questions, he had, acting from a conviction that there was not that unanimity in the government necessary to entitle it to the support of the country, given notice of that motion, which he distinctly stated, he now withdrew. When he considered that the notices of motions to be brought under the consideration of the House, and which would fairly have brought to the test the principles of the individuals who supported them, had been withdrawn and abandoned, he must conclude that the unanimity of opinion in the government must have arisen from concessions of principles, upon which it was not for him to enter. It was the business of the noble lords opposite to clear their character; he trusted they would avail themselves of an opportunity before the expiration of the present session, to state upon what consideration they had been induced to come forward to support the government.

The Marquis of Lansdowne said, that the noble earl had, with a great deal of candour, declared his intention of abandoning the motion of which he had given notice, and which was to have been brought forward for the purpose of eliciting from him an answer to particular questions in reference to recent proceedings. It was not for him to inquire what might be the motives which induced either the noble earl or any other noble lord to bring forward or abandon a motion of this description. He was, however, justified in the hope, that, as there was nothing either irregular or unconstitutional in the course which the noble earl had taken, but, as that course was both regular and constitutional, that at least the noble earl saw good reason for abstaining from a proposition which, if his views were adopted, he thought might convey a vote of censure on the government. The noble earl, however, abandoned the motion, and it would still become him to enter upon a subject which the noble earl himself did not consider as furnishing ground for a parliamentary proceeding. He well knew that, if the noble earl con-
considered there was any ground for such a proceeding, he would, in his manliness and courage, not abstain from doing that which it was his imperative public duty to do, namely, to call on that House to pronounce its opinion on any thing wrong or unconstitutional in the formation of his majesty's government. He therefore had a right to think that the noble earl saw no just ground for submitting to their lordships the motion of which he had given notice. But, in abstaining from bringing it forward, he had given an intimation, that the unanimity which prevailed in his majesty's government was obtained by concessions which he had not thought fit to name, and had adverted to certain notices of motions which had been withdrawn. Now, he did not know to what motions the noble earl alluded, for he knew of no notices having been given and withdrawn, excepting those which had been given from the other side of the House, and which had been as successively withdrawn, as fast as they were made. He wished, however, to take that opportunity, in the face of that House and of the country, to declare, that no one opinion which he had ever entertained upon any subject had been abandoned or compromised, in forming that connexion, which, upon the grounds of public principle and honour, and upon the grounds of public principle and honour only, he had thought it to be his public duty to form; and, when he should hereafter hear any allusion made to this subject, he should beg the favour of any noble lord who made such allusion, having access to those records of the proceedings of that House which were known to exist, and having the benefit of that diligent attention which the noble lords opposite had given to those proceedings—he should beg the favour, he repeated, of the noble lord availing himself of those sources, to point out that particular opinion, which at any time he had given, which the noble lord might think inconsistent with the course he was now pursuing. He should, when so called upon, be able to appeal to the recollection of their lordships for his repeated concurrence with the measures of government, as little from a view to any official connexion, as at any period of his life, till within the last month, it could be supposed. But he had, from the same public grounds, thought it his duty to give his support to a government with which he had no connexion—a course, perhaps, unintelligible to some noble lords—publicly and loudly, upon principles which he thought important to the welfare of the country. He had gone still further; and, when he had seen noble lords acquiescing in silence in those measures of policy to which they now made objections, connected with the commerce and navigation of the country, he had thought it his duty to come forward to state his warm concurrence in those measures; warning noble lords, at the same time, of their extent and importance; and, having so warned them, and having so stated his own concurrence and approbation, he had had the good fortune to see those measures unanimously carried. He little thought that the unanimity, revealed in those measures which were adopted with the approbation of that House and the country, would be made the basis of a charge, not only against the king's government, but against those individuals who, in consistency with the principles they had acted upon, continued to manifest, on the one side of the House, that support which they had loudly proclaimed from the other. As that unanimity had been useful to the House before, so it was the foundation of the connexion which, on public grounds, he had thought right to form. As the noble earl had not thought fit to state his opinion in any distinct charge, he should only express a hope, that, if any noble lord fancied he saw in him, individually, any act of inconsistency, he would afford a fair opportunity of explaining the grounds upon which he acted.

The Earl of Carlisle said, that, in accepting the offices which he held, he was not conscious of having forfeited any pledge, or abandoned any principle. With this statement he should rest; as he felt it unnecessary to go further after the speech of the noble marquis.

Corn Bill.] On the order of the day, for going into a committee on this bill, The Earl of Westmoreland said, he felt it his duty fairly to take his share of responsibility, however serious it might be, for the principle of this measure. It would not be necessary for him to enter at large into a defence of the bill, as that had been done ably by his noble friend (lord Goderich). It would be extremely improper in him to follow his noble friend in the same line of argument. It would be sufficient for him to say, that he generally
agreed in all that his noble friend had stated, and that he differed as much from all that the noble marquis (Lansdown) had said also, in support of the bill. The ground he took in defence of this measure was, that, with reference to the times and circumstances of the present day, it was right, proper, and beneficial to all classes of the community, agricultural, manufacturing, and commercial, that some settlement should be made of this great question. He contended that, if a settlement of this great question was necessary, it was more particularly so after the late crisis in the financial world, which had done mischief to none more than to the agriculturists. In the course of the recent debate on this bill, it had been said, that a settlement was necessary to all parties, but especially to that interest which their lordships represented; and some insinuations were thrown out, that, if their lordships did not accede to this measure, they were influenced by a prejudice in favour of the landed interests, which might be supposed to be injured by this measure, as they were most interested in the protection of agriculture, and the cultivation of the country. Now, he maintained, in opposition to this doctrine, that however all classes were interested in the protection of agriculture, the classes were to be considered in an inverse ratio, and that the agricultural proprietors should be counted last. The parties most deeply concerned were those classes whose food depended on their daily labour, and who would be the first to suffer in case of famine. The next class interested in the protection of agriculture was the monetied and financial party. In support of this opinion, he would quote a writer (Cobbett) who, though he did not look up to him as an authority on all subjects, had undoubtedly the ability of enforcing his arguments strongly. This writer was an enemy to the Corn-laws; but he said, “Let us have wheat at five shillings a bushel, and the thing is at an end.” What he called “the thing,” meant the financial interests of the country, the funded debt. It was not without some degree of reason that he predicted, that if he could get wheat at that reduced price, the landed interest would be destroyed, and with it all the other interests would fall to the ground, and a different settlement of public affairs would arise from the ruins of the constitution. The third class interested in this measure were those who represented the agricultural body. They naturally were deeply concerned in the due cultivation of the land, on which the independence of the nation rested. But, although all other interests might be nearly swept away, the land, at least, would remain. Grieveous and alarming such a consideration is! All classes should unite to preserve and encourage the cultivation, and protect the country from such a calamity. He trusted the country would never depend for its food on foreigners, as he had heard the noble marquis assert it might with safety. He had read, as all their lordships had, ancient and modern history, and political writers, and he had invariably found a general concurrence on this point, that the strength of a country, either for attack or defence, national independence or internal tranquillity, depended on the cultivation of the soil, and the growth of food sufficient for the maintenance of its population. The first question to be ascertained was, whether a country should grow sufficient to maintain its population. No doubt on this point had been started, until of late years. It was necessary that, with an increasing population, we should have an increasing cultivation; and that object was the intention of this bill. On the total danger of relying on foreign supplies, he would not dwell in his own language. He would give his opinion in a few words from an author, whose sense and judgment had been admired by all men, since his works had been known to the world. He alluded to the historian Tacitus, who, explaining the causes of the decline of the Roman power, ascribed it chiefly to their latter practice of relying on foreign supply for their food. In the early days of the republic, agriculture was encouraged to such an extent, that the Romans exported corn largely; but when the new system was adopted of importing it from Egypt, the state became feeble and degenerate. In the time of Tiberius, by the prevalence of contrary winds, Rome was reduced to twenty-four hours provisions. The words of Tacitus, in concluding this passage, were:——“At Hercule! olim ex Italian regionibus longinquas in provincias commodus portabant: nec nunc infecunditate laboratur, sed Africam potius et Aegyptum exercemus, navibusque et casibus, vita populi Romani permissa est.” He trusted that, after carrying this measure, their lordships would persevere in the principles on
which it was founded. On looking at the tables that had been drawn up, it appeared to him, that no great quantity of foreign corn could be brought with a profit to market, except, perhaps, from a few distant ports. There still was danger, he was aware, from the operations of corn-dealers. They might enter upon great speculations, and having their capital embarked, would prefer losing ten or twenty per cent to get out of their difficulties; and, by this means, a large mass of foreign corn might be thrown on the market at a cheap rate, to the great injury of the home-grower. There ought, therefore, to be some regulation, by which the importation of corn could be prevented, until the price had risen to a certain pitch. On all hands it was admitted, that the home-grower could not be adequately protected under 60s. In the former legislation on this subject, care had always been taken, that corn should not come in too hastily, but only at certain times, and in certain quantities. In like manner, he thought some period should be fixed before which this bill should not begin to operate; and, when it did, the bonded corn should be admitted under such regulations as his majesty's government might deem it proper to impose. Those who had come with an early supply, when the country was in want of food, had a just claim to be preferred to later arrivals. Supporting the principle of the bill, he nevertheless should feel himself at liberty in the committee to propose a regulation to that effect. He did not wish to see too great facilities to the importation of foreign corn, to the prejudice of the home-grower; and he could not view without alarm, any prospect of the country becoming dependent on foreigners for its supply of food.

The House having resolved itself into a committee, Earl Stanhope moved, that the words "meal" and "flour" be omitted.

Lord Goderich said, with reference to the amendment, that the law as it now stood between Great Britain and Ireland, prohibiting the importation of flour, was an act of the Irish parliament. That prohibition had not been altered by the acts of 1804, 1806, 1815, or 1822, and the amendment, if adopted, would not be beneficial to any class. By documents, it appeared that the importation had never amounted to any degree of importance, except when the harvests all over Europe were bad. In 1801, a quantity of flour had been imported from the United States, but the advantages derived from it were inadequate to the risk. If that was the result, when the temptation to introduce it was so much greater, there could be now no danger from the measure. The amendment would only have the effect of throwing into the hands of a few opulent millers in the neighbourhood of towns a monopoly of the supply of flour.

Lord Ellenborough supported the amendment, as an Englishman looking to the interests of Ireland. There was a large capital sunk in that country in the corn and flour trade, and he would give Ireland a monopoly, up to a certain extent, to protect the capital invested in that trade.

Earl Stanhope was at a loss to know on what principle they could refuse the benefit to the people of that kingdom, which they derived from the existing laws. Their lordships were well aware that, if flour was in a good state, it would bear the longest voyages.

The Earl of Harrowby could not think that, for the sake of the millers of Ireland, their lordships ought to exclude all foreign meal and flour from this country. The principle of the Corn-laws had always applied equally to flour as to wheat. But even were it otherwise, would their lordships, particularly under present circumstances, impose a prohibition on the importation of that article which constituted the most considerable of the exports of the United States, and thus deprive them of the principal means by which they were enabled to purchase our manufactures.

The Marquis of Salisbury supported the amendment. It had always, he said, been the object of the legislature to encourage the Irish miller.

The Earl of Malmsbury said, he wished to see Ireland a wheat-growing country, and there was no expectation of seeing that, unless it became a consuming country. He could not agree that flour and wheat ought to be placed on the same footing. Flour was a manufactured article, and, as a manufactured article, it ought to be protected beyond a raw article. As to the United States, their conduct towards us had exemplified anything rather than a feeling of sympathy.

Lord Redesdale supported the amendment, and argued against the principle of the bill. The system on which it proceeded was, that the farmers were not to receive a
greater price for their corn than 55s. Now, in bad seasons, that, so far from being a remunerating, would be a ruinous, price to the farmer. With respect to ground corn, whenever the country imported an article in a manufactured, instead of a raw, state, she threw away an advantage which she ought to retain to herself. The general effect of the bill would be, to produce a partial importation of foreign corn, and thereby the British farmer would be ruined. Whenever a season came, which yielded him but half a crop, being obliged, nevertheless, to sell this half crop at the same price as if it produced him a whole one, he must be a loser that season. By diminishing the price of corn, the farmer would be obliged to diminish his stock; and, by diminishing his stock, he would be unable to manure as much land as before. Thus the operation of the bill would be, to defeat its own object; for, by throwing land out of cultivation, it would, of necessity, render corn dearer.

Lord Ellenborough said, that many Irish lords seemed disposed to vote for this bill under a mistaken impression. They thought they derived an advantage under this bill, in having a concession made to them with respect to oats. Now, he entreated them not to separate the interests of that country from those of England; for, whenever they did so, it would turn out to their prejudice. But did this bill afford them an advantage over the bill of 1822? It was true that, under the present bill, when oats continued for three months at from 28s. to 29s., there would be an advantage of 9d. over the bill of 1822; but, except when that contingency occurred, there would be a loss. He entreated the people of that country to look more to the export of wheat. Just now oats constituted a more important object with them than wheat; but let them look at the history of their agriculture, and they would find that wheat was a new invention in Ireland. It was not long since there was not a loaf of wheaten bread to be had in Belfast; and those who first attempted to sow any wheat were looked upon as making a most extravagant experiment; yet now they produced wheat of the finest quality. He entreated the noble lords connected with that country to afford every encouragement to the cultivation of wheat.

The Amendment was negatived.

Earl Bathurst objected to the words “at all times.” He contended, that these words were in contradiction to the principle of the bill. It stated, “that it was expedient that corn, &c., should at all times be allowed to be imported” upon payment of certain duties. Now, these duties were prohibitory duties. Was it common sense, then, to say, that at all times these articles should be imported at prohibitory duties? He denied that the principle of the bill was prohibitory. The duties were partly prohibitory, partly restrictive, and partly nominal. When the price of corn was under 60s., they were prohibitory; when it was at 65s., they were restrictive; and when it reached 70s., they were only nominal. When he first read those words, they appeared to him to be of great importance; but they appeared still more so, since he had heard the noble marquis (Lansdown) declare, that this country should be dependent on foreign nations. Now, he denied that such was intended to be the principle of this bill. With respect to the principles of free trade generally, he denied that the measures of the late government were founded on principles of free trade, any more than this bill was founded on the principle of a free trade in corn. It proceeded on principles of prohibition, regulated by restrictive duties. They might as well talk of a free press under a censorship, as of free trade in grain under graduated duties. He concluded by moving for the omission of the words “at all times.”

The Earl of Harrowby said, that the chief merit of the bill lay in fixing the prohibitory duty at such a point as would satisfy all parties.

The Earl of Malmesbury disliked the bill, because it was a clumsy plan of prohibition. He pointed out the hazards with which the native growers were threatened by speculations in foreign grain; and asked, why the government should not, instead of the bill, protect the agriculturists by a plain prohibition? He would move the substitution of 64s. instead of 60s., which was proposed as the remunerating price, at the proper opportunity.

The Marquis of Lansdown said, it was impossible for him to have stated that it was desirable for this country to be dependent upon others, for any considerable portion of her grain. What he had said was, that it was in the nature of things that a rich country should be so dependent on others, and that this tendency could not be checked, without injuring the wealth
of the richer country, and, consequently, in our case, without injuring the capital which was to remunerate the agricultural interests. But it was utterly impossible for him to agree with those who thought that the country ought to be wholly independent of foreign countries for any portion of the food of the population. He thought it was highly desirable to get rid of the word prohibition from our commercial code; and, though there were many restraining duties which acted as prohibitions, and which, in the present artificial state of the affairs of the country, could not immediately be done away, yet it was something to get rid of the term prohibition.

The Earl of Lauderdale said, that the object of the bill was to lower the prices of grain; and, as high prices argued an increased state of enjoyment, and a better remuneration to all the operative classes, low prices were anything but desirable.

Viscount Goderich said, that they were justified, by the experience of a century, in concluding that this country must, from time to time, be dependent upon others for a supply in times of scarcity. He admitted that, in some sense, they must have prohibition; because, for reasons of state, the native grower could never be allowed to have the full benefit of high prices, and therefore he must be protected from the effects of very low prices; the supply of the food of the population having to depend upon the agricultural classes. He had never contended for an entirely free trade, even in other commodities, without paying any duties; but he thought it desirable to modify the duties, according to the reduction of expenses in manufactures, especially as many of those duties had operated as prohibitions, though never intended to be such by the legislature. The House had only to reflect, that many of those duties were mere exigencies, to which the government had been driven by the expensive operations of the war.

Lord Ellenborough advised ministers to hold several cabinet councils, and agree upon some understanding of certain terms of political economy commonly in use, such as those of prohibition and free trade. He thought that the view held out by the noble marquis, and those who acted with him, was the most mischievous that could be entertained. Were there no other considerations besides wealth, in the practise of government? This country was an agricultural as well as a commercial country. Great and superior wealth did not imply national strength. Let their lordships look at the growth of mercantile wealth in this country. Had the happiness and morals of the people been increased?—on the contrary, had not misery and crime increased with their increased numbers? A wise government should no more devote all its energies to the increase of wealth than a wise man. He preferred either of the bills of 1815 or 1822 to this; which he declared to be an anomaly in the law. It was impossible ever to effect a free trade in corn; and it was absurd to talk of putting food upon the same footing as commodities which were not of prime necessity. The noble marquis had said, that the country ought to be, or must be, dependent upon others for some portion of the supply. What portion would the noble marquis name, as that which it was desirable, under the present arrangements of capital, for the country to draw from abroad? The country could not prosper when the prices of grain were very low. The noble lord went on to object to the fixing a maximum of corn in England, and especially to the fixing it at such a point as must be below a remunerating price in seasons of scarcity. If the price of corn was not to rise when the crop was deficient, how was it possible for the farmer to be paid? He was perfectly ready to call into immediate action the bill of 1822; and even to attach a graduated scale of duties to that bill. Or he would make an alteration in the importation prices of 70s., fixed by that bill. But to the bill before the House he was decidedly adverse. The former bills had been bills of compromise between the two interests, which were supposed to be opposed to each other; but the present bill was one of capitalization, and it should never have his consent. He saw no reason for departing from the provisions of the bill of 1822, unless it were to introduce some measure of increased protection to the agriculturists. The price of gold in 1822, when that bill was passed, had been below the Mint price. The distress of the country had been greater in 1832 than it was at present. The only difference was, that the agriculture of the country required more protection now, because it had been longer in a state of depression; and yet, here was a call at once upon the landed interest to reduce their corn 10s. a quarter.
The motion for omitting the words “at all times,” was negatived.

Lord Ellenborough then rose to move an amendment to the effect which he had just stated. The words which he wished to have inserted were taken from the bill of 1815. His motion was, that after the words “for home consumption,” should be inserted the following words—“whenever the average prices of the several sorts of British corn, made up and published according to law, shall be at or above the prices herein after mentioned.”

Viscount Goderich was desirous to know to what price the noble lord’s scheme of prohibition was meant to extend.

Lord Ellenborough said, that if the House sanctioned the principle of his amendment, the question of price could be settled afterwards.

The House then divided: Not-Contents 82; Contents 39; Majority 43.

The Earl of Farnham proposed an amendment, by which the prices of Irish and Scotch grain should be embodied in the averages. It was difficult, he said, to know how to deal with the measure before the House, from the uncandid manner in which it had been introduced, detached from another bill which was now in progress through the other House, and with which it was closely connected.

Lord Goderich said, that the introduction of the prices in Ireland and Scotland would alter the rate of duties affixed by other parts of the bill.

Lord Ellenborough spoke in favour of the amendment.

The Earl of Stanhope said, that the course pursued by ministers had been neither fair nor candid. The measure which was fraught with such bitter consequences to the agriculturist, appeared to him to be merely the precursor of other measures of a similar tendency. It would have been more frank to have embodied at once all that was meant to be proposed.

The Earl of Rosebery defended the mode of taking the averages; which was conformable to the system of 1815 and 1829.

The Earl of Lauderdale observed, that the proposed mode of taking the averages would be a fraud upon the public.

The Bishop of Bath and Wells was of opinion, that the effect of the bill would be to throw a large portion of poor land out of cultivation, and thus to deprive numbers of the labouring classes of occupa-
intended to propose to the committee—a measure which would have the double effect of placing the warehousing system on a secure footing; and of remedying any frauds which might occur in taking the averages. He should therefore oppose the clause of the noble earl, and propose, by way of amendment, that "foreign corn in bond should not be taken out of bond, until the average price of corn shall have reached 66s." [hear].

Lord Goderich said, that his noble friend had very much misunderstood him, if he supposed that he had ever expressed himself in favour of such a clause. The fact was quite the reverse; for he was of opinion, that if the clause of the amendment were adopted, its introduction must, as a necessary consequence, lead to the rejection of the bill altogether [Cries of "no, no," and laughter, from the Opposition benches.] He was somewhat at a loss to know what noble lords intended by these expressions of merriment; but this much he would say, that those noble lords should not laugh him out of his opinions. He felt it his duty to oppose the amendment of the noble duke, because he felt that it was at direct variance with the principles of the bill, and would tend at once to encourage that prohibition which the bill was calculated to remove. It was somewhat singular that his noble friend, who had had ample opportunities, should not have discovered the imperfections of this bill until the present occasion [hear, hear].

The Duke of Wellington explained, he had never been a party to the framing of the bill, which he never saw until it was printed. He had supported its general principles, with a view to the good of the country, but without pledging himself to support all its clauses.

Lord Roslys withdrew his amendment. Strangers were then ordered to withdraw; and shortly after, the result of the division to which their lordships had come to was announced by the loud cheers of that side of the House in favour of which it had taken place. Their lordships continued in debate for some time after; and, when the doors were again opened, we found the numbers to be:—Contents 78; Not-Contents 74: Majority in favour of the duke of Wellington’s Amendment 4.

The chairman reported progress, and asked leave to sit again on Wednesday.

HOUSE OF COMMONS.

Friday, June 1.

THE BUDGET.] The House having resolved itself into a committee of Ways and Means, to which the accounts of Surplus Ways and Means and Monies and Out-Cash in the Exchequer were referred, Mr. Canning rose, and addressed the committee as follows:—

The task, Sir, which it is my duty this day to perform—difficult as it must be at any moment, and under any circumstances, to a person who is called upon to undertake it for the first time—is certainly not lightened by the consideration, that the picture of the financial situation of the country, which it is now my duty to bring before this committee is not one of unqualified prosperity.

Undoubtedly, Sir, a gloomy complexion has been thrown over the whole of that situation, by the dark spots which have settled on particular parts of it; and which have created a deeper impression, both upon this House and upon the country, than I think was warranted by any consideration of the state of our finances. And it is a consolation to me to reflect, that the nearer we approach the subject, and the more accurately we look at it in detail, the more ground we have to hope, that that complexion has been much exaggerated in the opinion of the public; and that, if there are some topics upon which it is impossible not to admit that there is something to lament, and much to repair—there are, nevertheless, grounds for anticipation of its certain improvement.

Sir, the financial situation of this country is indisputably one which, at this time, requires to be looked at with a steady and a scrutinizing eye; but, in proportion as that scrutiny is minute and accurate, we shall, I am happy to think, find in it the justification of sanguine hopes, that the result will neither be difficult nor questionable.

Sir, with no other preface than this—which I hope will be taken at least as a proof of the sincerity with which I am disposed to deal with the subject—I shall
now proceed to state to the committee, in the first instance, what was the financial situation of the country at the end of the last year:—Secondly, to combine and compare, as has been the habit of my noble friend, my predecessor in this office, that one year with the three several years which preceded it:—and, lastly, to suggest what I consider ought to be the provision to be made for the service of the present year, and to state those grounds upon which I feel myself authorized to look forward with encouragement to the future.

Now, Sir, in stating the first and second of those heads; namely, the situation of the country at the end of the last financial year, and the comparison of that year with the three years which immediately preceded it I shall only premise, that I apply myself principally to documents which are already on the table of the House, and, by a reference to which, every hon. gentleman will be enabled at once to verify any part of that which I may advance.

With regard to the third and fourth points; namely, the provision to be made for the service of the present year, and the prospect for the future, I can only appeal to the manifestation which I have already given of my sincerity, and which I hope will obtain from the committee, their belief, that it is not my intention to keep back any thing which ought to be brought forward, or to palliate any thing which may have been wrong. And I assure the committee I will not press upon them any opinions which I do not honestly and sincerely entertain myself.

To begin, Sir, with the first head to which I propose to call the attention of the committee; namely, the financial situation of the country, at the end of the year 1826. At the end of that year, after balancing the amount of the income over the expenditure, there remained an actual surplus, after defraying the charge of the sinking fund, of only one million. Now, the amount applicable by law towards defraying the charge of the sinking fund, for that year, was 5,600,000£. There was, therefore, an apparent deficiency, in the year, of 4,500,000£. I say, Sir, "an apparent deficiency;" because, from that deficiency are to be deducted two sums, which go considerably to reduce its amount. The first of those sums is the aggregate of advances made from the Exchequer fund, under several acts of parliament, either for public works, in Great Britain and Ireland, or for the purchase of beneficial interests, which are not only very likely, but certain, to make a more than adequate return to the public.

Now, Sir, it is quite obvious, that money laid out in this manner, and for the repayment of which the country hold available claims and securities, are not items which can, in fairness, be carried to the account of the expenditure of any particular year.

Those advances, together with the balances remaining over, of similar advances, amount, in the year 1826, to the sum of 1,200,000£. The particulars of these advances will be found in the papers now on the table of the House. I shall, therefore, spare the time of the committee, by not stating them in detail; seeing that every gentleman may have access to them, provided he entertains any doubt of the accuracy of my statement.

To the amount of these advances is to be added another sum, arising out of the circumstance, that, in the course of the year 1826, there were other over-payments of this kind, or payments on account of expenses, which had not occurred in that year, but which, nevertheless, were defrayed out of its income, and which also amounted to about 1,200,000£. The items of this sum are likewise to be found in another paper, which has been laid upon the table. These two sums of about 1,200,000£ each, being deducted from the 4,600,000£ which I have already stated as the whole apparent deficiency of the year 1826, leaves a real deficiency of about 2,100,000£; including the amount of those payments to be made, by law, on account of the sinking fund.

Such then, Sir, was the situation of the finances of the country at the end of the last year. But, before we proceed to take this statement as the actual measure of financial ability, still more before we take it as the proof of the financial embarrassment of the country, it will be both fit and proper for me to have recourse to that process which, as I have before said, my noble predecessor constantly resorted to; namely, that of combining and comparing each particular year with the three preceding ones, of taking an average upon the whole—and of drawing an inference from the aggregate amount.

Sir, it is now just four years since the
The Budget.

June 1, 1837.

I now come to state, Sir, what is, of course, matter of estimate, namely, the income and expenditure of the present year:

The estimated receipt of 1827, founded on the actual receipt of 1826, is 56,800,000l.
The estimated expenditure of 1827, not including the sinking fund, is 51,800,000l.
The sinking fund, applicable to the debt, during the present year, is 5,700,000l.
Add this sinking fund to the expenditure, and the total demand for the present year will be 57,500,000l., leaving, I am sorry to say, a deficit, to be provided for, of 2,900,000l.

Before, Sir, I come to consider more minutely the necessities of the present year, I wish—and I think the committee will not consider it an unreasonable wish, or an objectionable mode of proceeding—to deal with it as I have dealt with the four preceding years, supposing the whole of this estimate to be founded on data as accurate as those to which I have already referred.

The amount of the income of the four years ending on the 5th of January, 1827, I have already stated to be, in round numbers, 230,000,000l. But I must here observe, that as, in adding the current year to this statement, it is necessary to do so without taking any notice of Exchequer advances and repayments (it being, of course, impossible, at present, to ascertain the amount of those advances and repayments for the present year), I shall omit, in this statement, so much of the income of the four preceding years, as accrued from repayments for public works, &c., and so much of its expenditure as arose from grants and loans.

The income of the last four years, exclusive of such repayments, amounted to 228,000,000l.
The estimated income of the present year is 54,600,000l.
The total actual and estimated income of the five years, exclusive of repayments, is 282,600,000l.
The expenditure of the last four years, exclusive of advances, was 205,687,000l.
The estimated expenditure of the present year is 51,810,000l., making together a total expenditure, for the five years, of 257,477,000l.
The difference between the aggregate of the income, and the aggregate of the expenditure, we may therefore take at something more than 25,000,000l.
The legal claim of the sinking fund comes next to be taken into consideration.

The sinking fund, by law, amounted, in the years 1823, 1824, 1825, and 1826, to 21,927,765l. The same legal claim, in the current year, is 5,700,000l., making in the whole the sum of 26,927,765l., and, consequently, leaving a deficiency of income, on the five years, to meet the sinking fund required by law, of 1,804,765l.

I must here request of the committee distinctively to understand, that this sum of 1,804,765l. is the deficiency for the five years, and is not to be confounded with the deficiency, under the same head, for the current year, out of its present resources.

It appears, then, Sir, from this retrospective view of the state of our finances, that the total amount of deficiency of income, up to the end of the current year, combined with the four preceding years, will be something short of two millions—a deficiency, say of two millions, accruing on an expenditure of nearly 300,000,000l.; and that expenditure spread, too, it must be recollected, over a period of no less than five years.

Sir, I do not at all mean to say, that this is a state of things with which this House and the country ought to feel satisfied; but I do say, that it is a much smaller excess of expenditure over income, than my own apprehensions had led me to anticipate—much smaller, I think, than the House and the country generally conceived it to be.

I am aware it may be said, that there is a fallacy which pervades the whole of the statement which I have made—a fallacy arising out of the circumstances which is generally designated by the name of the "dead-weight." I thus allude to it, without meaning, in the slightest degree, to attach any opprobrium to the expression; and I merely use it, because the House has, by usage, become more familiar with it, than with any other. But I think, Sir, it is altogether a mistake to consider, with respect to this operation, that, to whatever other objections it may be liable on other accounts, it is open to the charge of falsifying this side of the account, in the slightest degree [hear, hear]. I do think it a mistake—and I will tell the honourable gentleman who has just cheered me, why I think so. I am perfectly ready to admit—indeed the fact is perfectly notorious, and has long been conceded—that the dead-weight is open to the vice of obscuring and of complicating the national accounts. And, because it has had that very effect, I am apprehensive that this scheme has been made to bear a greater portion of blame than really belongs to it.

But, in respect to this particular account, it has not only not operated badly, but, in fact, has proved of very considerable advantage to the country. The contributions, during the last four years, from the commissioners of naval and military pensions, have amounted to 7,600,000l. And, at the same time, it must not be forgotten by gentlemen, that when this measure of the dead-weight was first introduced, taxes to the amount of two millions annually were repealed. Before, therefore, it can be assumed, with any degree of fairness, that the addition of this 7,600,000l. has a tendency to give an exaggerated appearance to the statement of our income, honourable gentlemen ought to consider what would have been the produce, during the same time, of those taxes which were repealed, because this system of contribution—and only because this system of contribution—was established.

The amount, I say, of the taxes which were repealed at the time that this system of contribution was established, was something more than two millions annually; and, during the same period in which the dead-weight contribution has yield to the income of the country, 7,600,000l.; those taxes, if they had continued unrepealed (which, by hypothesis, would have been the case, inasmuch as the temptation to the House to sanction that scheme of contribution was the enabling it to arrive at the repeal of such taxes) would have yielded 8,240,000l. So far, therefore, from the amount of the public income being unfairly swollen by the introduction of this dead-weight, it shews a total of 640,000l. less than it would otherwise have amounted to, by reason of the dead-weight having been substituted in the place of the taxes alluded to.

All this, however, does not, of course, affect the merits of that scheme in other respects. It does not clear the scheme of the evils of that obscurity and that complexity which, as I have already said, it has introduced into the public accounts; but of the charge of inflaming those accounts of the income of the country, and
of giving a false impression of our financial affairs, that scheme appears to me totally guiltless. For I repeat, that if that scheme had never been established, the income of the country would have appeared, on these accounts, 600,000l., on the aggregate, better than it actually does appear. This charge, or rather the absence of this charge, is to say, the continuance of those taxes—if they had remained instead of being repealed, and the dead-weight had not been called to our aid—would have reduced their general balance against the country from 1,800,000l. to 1,200,000l.

But this, Sir, is not the time at which I shall enter into the merits or demerits of that scheme generally. Of those merits or demerits I will frankly own I was not aware until it became my duty to look minutely into these accounts; and I am perfectly sure that a like ignorance, or a like recklessness of the real facts of the case prevails amongst others on the point of the advantages or disadvantages which have resulted to the country from the existence of the dead-weight scheme. But we must not blind ourselves to this circumstance—that we have obtained from it, within the last four years, very substantial benefits; and when we shall revert—as, perhaps, we may do at no distant period—to an examination of this point; when we come to re-consider the question of this scheme, we shall find, I have no doubt, that it is not one of plain sailing—that it is not one which has not, on each side, compensating advantages, as well as counteracting disadvantages. Assuredly, we shall gain much by simplifying the national accounts—we shall gain still more by meeting our difficulties, whatever they may be, full in the face; but we must be prepared to do so by taking up a portion of those burthens which we have been relieved from during the last four years. I wish to state this fully and fairly to the committee; without any pledge on my part as to the course that I may feel it my duty to pursue; but I am anxious to guard the committee against the impression that the mere sweeping away of this scheme of the dead-weight is all that they have to do.

The committee, Sir, will not fail to perceive, that in all that I have had the honour of stating to them, I have assumed as a fixed point, the fact, if not the expediency, of a sinking fund—a fund which, by whatever name we call it, whether sinking fund or surplus of revenue over expenditure, is to have the effect of preserving national faith and national credit, and of enabling the country to meet the fluctuations of her revenue, and to meet also any unforeseen emergencies in which it may unawares be placed.

Sir, the present year affords us examples of both these necessities. It affords an example of a sudden falling-off in the revenue; and it affords also an example of a particular foreign emergency coming upon us suddenly and unawares.

And here I would wish the committee to consider what would be the situation of a country which should so exactly square its annual income to the state of its ascertained expenditure, as to leave no preparation for those emergencies, nor any provision—as every private gentleman is bound to provide by laying aside some part of his income for unforeseen casualties—to meet claims which cannot be exactly anticipated. What ought to be the amount of the surplus fund to be set aside, is a point which I shall not now say; but, I confess, it has never occurred to my mind, in any calculation that I have made, that a sum less than five millions, on an annual expenditure of more than fifty millions, is a proportion that, following the dictates of experience, or proceeding upon the analogies of private life, it might be found prudent to forego.

And here, again, I beg leave not to be considered as giving any decided opinion. I told the committee at the outset, that I would declare candidly the considerations which have impressed themselves on my own mind; but this is one of those subjects which will hereafter come for the consideration of the House, and upon which his majesty's ministers will anxiously look for the advice of parliament.

For the present year, then, the question which arises out of the statements which I have submitted to the committee—the question which they will have principally to consider—is, whether the present deficiency, which I have stated, in round numbers, to be three millions—though it is now, and I think we have every prospect of its proving hereafter still more so, considerably less than I have stated it at—whether, I say, this deficiency shall be provided for by any extraordinary course, or whether, under the peculiar circumstances of the present year, it may not be the more
expedient step to take a credit on the consolidated fund, and leave it to the year to come, to determine what measures of a more decided character it may hereafter be necessary to resort to.

This, Sir, is, of course, in other words, a proposal to add to the amount of Exchequer-bills now outstanding. And the first question that arises, on the suggestion of such a proposal, is, whether the amount of those bills, now outstanding, be such as to bear this hypothetical addition; or whether it be at such a rate, as would make it dangerous to run any risk, by pressing harder upon the amount already in the market.

In order to come at this, it will be necessary, Sir, to examine the value which these bills actually bear in that market. The price at which Exchequer-bills are now selling, is equivalent to a premium of 50s. upon every 100l.; that 100l. yielding an interest of three per cent per annum. And such being the premium, this assuredly does not indicate any appearance of an over-stocked, or labouring market.

Then, Sir, as to the amount. The whole amount of Exchequer-bills, at present outstanding, is 24,000,000l. That amount would be increased, supposing the whole of the sum, now apparently deficient, to remain deficient at the end of the year; that is, supposing the revenue to go on, for the remainder of the year, at the same rate at which it has gone on during the four months last past; and supposing all the indications, I will not say of reviving prosperity, but of reviving activity in our trade and commerce, which we hear of from all parts of the country—supposing the information on this subject, which has been communicated to so many honourable gentlemen, to be quite erroneous—supposing, in fact, the very worst—and the addition will make the whole amount of Exchequer-bills outstanding, 26,700,000l.

But, Sir, I think I may say, without offering any direct authority for the assertion, that it is impossible, from the various, but concurrent information which has reached so many honourable gentlemen, from all parts of the kingdom—that it is impossible, I say, to believe, that the two propositions which I have taken the liberty to suggest to the committee—namely, that the progress of the revenue will not be accelerated, during the remainder of the year, beyond the rate at which it has proceeded during the last four months; and that the deficiency in the revenue will not be diminished by the accelerated ratio of improvement in our commercial situation. I say, it is impossible to believe these two propositions, without entirely disbelieving all these favourable accounts from all parts of the country.

Why, then, Sir, I may consider 26,000,000l. as the amount of outstanding Exchequer-bills at the end of the current year. Supposing I were to rely entirely on that resource for squaring accounts at the end of the year, I think I am not too sanguine in taking that as the total amount. Now, Sir, 26,000,000l. of Exchequer bills is a less amount of such bills than ever was outstanding, at any period, as I am informed, in the history of this country during the last twenty— that is to say, not the amount now actually outstanding, but the amount, such as it would be, if the bills now outstanding were added to those necessary to make up the deficiency of the present year's income.

But, Sir, there is another material consideration, to which I have already partially adverted, in stating the amount of the income and expenditure of the country of different years, and which it is very material that the committee should take into their view, and consider its bearings upon the whole case.

Sir, of this 26,000,000l. of outstanding Exchequer-bills, one fifth part, at the least, is of a nature totally different from the remaining four fifths; and of a totally different nature also, from Exchequer-bills in the ordinary and general acceptance of the term. The aggregate of the advances made by the government, and which remain actually due to the country, is upwards of 5,000,000l. Five millions, therefore, of this amount of Exchequer-bills represent, not the credit of the government, but so much advanced on public works, loans, and other securities. They are, in fact, available securities, and may be made convertible by the government at their pleasure.

This circumstance, Sir, reduces the whole amount of Exchequer-bills, in the ordinary sense of the word, even upon the most unfavourable supposition of our having to replace the whole apparent deficiency of the present year by an increase of that mode of security, to twenty-one millions—which is, as I have already said, a sum less, by 5 millions, than has ever been the amount of Exchequer-bills outstanding at any period within the last 20 years.
Under these circumstances, Sir, and when I put to myself the question, whether or no we can run the risk, whatever that risk may be, of having to defray the deficiency in the income to meet the expenditure of the current year, by an addition to the now outstanding Exchequer-bills, to the extent I have stated—and compare that risk with the possible effect of any other mode of providing for such deficiency—I confess, Sir, I am strongly inclined to the course which I first suggested. I am inclined to it by a consideration of the present state of the country.

That state, Sir, appears to me to be one of hopeful, but not confirmed, convalescence. And I do trust and believe, that it will continue to gather strength, and return gradually and steadily to its former power and security—I mean, of course, its financial security—provided it be not, at this critical period, either tampered with, by the application of any injudicious remedies, or afflicted by any sudden shock, which may have the effect of diverting it from the healthy course in which it is now gradually, but directly, advancing. Whichever way I turn, I see indications of an improving revenue. I am not sufficiently sanguine to believe that this improvement will be great enough to overtake and cover the whole of the deficiency of the year. A part, however, of that deficiency I am sanguine enough to expect to see speedily cut off by natural means; and that hope it would be wrong in us to disappoint, by any measures, calculated to force results, which, by being so forced, may have the effect of defeating it. I feel strongly the prudence of awaiting the realization or the disappointment of that hope, before we decide upon any other course of action. If I were to decide for myself, as to whether I should adopt a course like that which I am now advocating, without the advantage of previously consulting parliament, I should unquestionably feel the responsibility too great for me to undertake. But, Sir, it is because I have the opportunity of stating in this House, frankly and openly, the course which I recommend, and the motives which prompt me to the recommendation—it is because there is nothing of keeping back, nothing of concealment, nothing of a desire to represent things otherwise than as they really are—that I feel the courage to express my conviction, that, in the present peculiar situation of the country, it is better to wait the result which we have reason to expect, than proceed to the adoption of any measure which would be premature.

Sir, I have now opened to the committee, rather those principles which, I conceive, ought to guide us in our present situation, than entered into any particular details connected with it: and I think the peculiar character of the times justifies me in having adopted such a course, in preference to going into a multiplicity of such details—into calculations of revenue—into calculations of trade—which might only have more perplexed a subject, which my want of experience in this department has already, I fear, but too much obscured.

On the other hand, I trust I have explained, and without much complication, that which it was my single object to make clear and perspicuous to the committee; as it seemed to me better to pour to them that single object, distinctly and intelligibly, than to carry them through a succession of such items.

Nothing now, Sir, remains for me to submit to the committee, but to state the Supply and the Ways and Means; as, in accordance with the principle which I have just laid down, I propose to provide, in no other way than by a credit on the Consolidated Fund, for any deficiency that there may be in the income of the present year.

The Supplies which have been already voted for the current year are:

- **Army** £3,194,463
- **Navy** £3,254,819
- **Ordnance** £1,449,972
- **Miscellaneous** £2,756,034
- **Interest on Exchequer Bills** £30,000

**Total** £19,365,328

In addition to this amount, before the rising of parliament, it will be my duty to call on the House for a vote, by way of a vote of credit, for 500,000l.; the object of which I shall then explain to the House to be any unforeseen contingency that may arise, connected with our army in Portugal.

The total of grants and of vote of credit, will, therefore, be 19,365,328l.

The accounts which have been laid on the table, with regard to the Ways and Means, are as follow:

- **Surplus Ways and Means** £88,044
- **Military and Naval Pension Money** £4,144,000
- **East India Company** £100,000
Duties on Sugar, Personal Estates &c. 3,000,000
Grant out of the Consolidated Fund... 11,600,000
Exchequer Bills to answer Vote of Credit ........................ 1,18,943,044
Total.... 1,18,943,044

Now, Sir, the main question which the committee have to decide is, whether, under all the circumstances of the country, we shall go on through the present year, not in ignorance, but with a perfect knowledge of our situation, and looking to the growing effects of returning prosperity—whether it will not be far better than entering upon unadvisable and premature discussion of every one of those great questions of finance, which await discussion next year—to go in the path which I have taken the liberty to suggest—whether that will not be our wiser policy, rather than to run the risk of deranging the present course of things, without having any correct means of judging what the effect of such derangement may be.

It will be found, that the supply of the present year exceeds that of the last by about 800,000/. This difference, Sir, arises from two causes—the Army Extra-ordinaries, and the Vote of Credit for which I call, in consequence of the Expedition to Portugal.

I am far from saying, Sir, that to bring back the expenditure of the country to the scale of last year is all that the House and the country have a right to expect, or all that his majesty's government is inclined to perform. Most undoubtedly it is intended to bring that expenditure to the lowest possible scale, consistently with the public safety. I shall abstain from making any promises on the subject; and, for this reason—that I have always observed, that promises made under similar circumstances, must, from the very nature of things, be contingent on events which we cannot, by possibility control; and because, too, they are always exaggerated by those to whom they are made; and, more being expected than is held out, they generally end in disappointment.

All I can say, therefore, on the part of his majesty's government, is, that it is their fixed determination to apply to those important subjects, the reduction of the expenditure, and the improvement of the revenue—their best and most zealous attentions; and, in so doing, to take this House into counsel, on the subject.

In conclusion, Sir, my decided opinion, and I feel that I ought to give it fairly before I sit down is, that the course recommended, is the most expedient course, and the wisest. The country is at present in a state, rather to be left to itself, than even to be aided in its return to prosperity, by measures which, as remedies, would be premature. And if, Sir, I entertain—as I undoubtedly do entertain—a sanguine hope, that the time is not far distant, when that prosperity will be more unequivocally demonstrated than it has lately been, or than it is at present, I found that hope, rather on its known intrinsic energies, and its inherent, though not now put forth powers, than do upon any indication arising out of particular circumstances, which I could fairly turn to, as justifying that hope. I would rather, Sir, express what I feel upon this subject in other words than my own—in words which, I am sure, the committee will pardon me if I read upon this occasion, in preference to submitting the same views in any language that I could supply. The speech from which I am about to quote is one which beautifully describes the energies of this empire, and the operation of that spirit of enterprise for which it is distinguished, in communicating the commercial activity and wealth of its own people to the most distant regions—

"But there is still another cause, even more satisfactory than these, because it is of a still more extensive and permanent nature;—that constant accumulation of wealth, that continual tendency to increase, the operation of which is universally seen, in a greater or less proportion, whenever it is not obstructed by some public calamity, or by some mistaken and mischievous policy, but which must be conspicuous and rapid indeed, in any country which has once arrived at an advanced state of commercial prosperity.

"Simple and obvious as this principle is, and felt and observed as it must have been, in a greater or less degree, even from the earliest periods, I doubt whether it has even been fully developed and sufficiently explained, but in the writings of an author of our own times, now unfortunately no more—I mean the author of a celebrated treatise on the Wealth of Nations—whose extensive knowledge of detail, and depth of philosophical research, will, I believe, furnish the best solution to every question connected with the history of commerce,
or with the systems of political economy.

"This accumulation of capital arises from the continual application of a part, at least, of the profit obtained in each year, to increase the total amount of capital to be employed in a similar manner, and with continued profit in the year following. The great mass of the property of the nation is thus constantly increasing at compound interest; the progress of which, in any considerable period, is what, at first view, would appear incredible.

Great as have been the effects of this cause already, they must be greater in future for its powers are augmented in proportion as they exerted. It acts with a velocity continually accelerated— with a force continually increased—

"Mobilitate viget, viresque acquirit eundo. It may, indeed, as we have ourselves experienced, be checked or retarded, by particular circumstances—it may, for a time, be interrupted or even overpowered; but, where there is a fund of productive labour, and active industry, it can never be totally extinguished. In the season of the severest calamity and distress its operations will still counteract and diminish their effects;— in the first returning interval of prosperity, it will be active to repair them. If we look to a period like the present, of continued tranquillity, the difficulty will be to imagine limits to its operation. None can be found, while there exists at home any one object of skill or industry, short of its utmost possible perfection; one spot of ground in the country capable of higher cultivation and improvement; or while there remains abroad any new market that can be explored, or any existing market than can be extended. From the intercourse of commerce, it will, in some measure, participate in the growth of other nations, in all the possible varieties of their situations. The rude wants of countries emerging from barbarism, and the artificial and increasing demands of luxury and refinement, will equally open new sources of treasure, and new fields of exertion, in every state of society, and in the remotest quarters of the globe. It is this principle which I believe, according to the uniform result of history and experience, maintains on the whole, in spite of the vicissitudes of fortune, and the disasters of empires, a continued course of successive improvement, in the general order of the world."

The words, Sir, which I have just read to the committee, are the words of Mr. Pitt—the author cited is Adam Smith.

Sir, we hear now a days, that the application of philosophy to the affairs of trade and commerce is an innovation. I, however, am content to go back to the year 1792, and to take the words which Mr. Pitt then used, and which I have treasured up in my mind, into my mouth, and to take them as the guide and polar star of my own policy.

Mr. Hume said, that the right hon. gentleman had taken a very wide and extensive view of the condition of the country; and had very properly concluded it by admitting, that there was a considerable deficiency in the income of the country as compared with its expenditure. The right hon. gentleman had added, that that was a circumstance which did not create in his mind any despondency. In that sentiment he so far agreed with the right hon. gentleman, that he was persuaded we might call out resources, and make efforts, commensurate with any difficulties which we might be required to meet. The great difference of opinion between the right hon. gentleman and himself was on the question whether, after the experience of twelve years’ peace, we were to go on for another year cherishing those delusive expectations by which we had hitherto been deceived. Year after year, since the termination of the war, the House had been assured, that the prosperity of the country was increasing; and year after year had that assurance been falsified by the event. Going back to one of the periods to which the right hon. gentleman had adverted, the year 1792, let the House look at the difference between the financial condition of the country at that period, and at the present moment. In 1792, the debt was only 223,000,000l.; it was now above 800,000,000l. In 1792, the whole revenue was 16,000,000l.; it was now 69,600,000l. Under such circumstances, could the House allow another year to pass, with an avowed defalcation in the revenue, and make no effort to arrest the evil? The intended appointment of a committee of finance in the next session was dwelt upon; but it ought to be recollected, that, if the House were to set about the task immediately, they might make a beneficial reduction in our expenditure; while, on the other hand, a delay until the next session would have the effect of un-
necessarily adding three or four millions more to our debt. The right hon. gentleman had made a quotation from Adam Smith; and on that foundation had built a flattering prospect of increasing prosperity in the years to come. Such suppositions were merely castles in the air, were calculated to amuse for the moment, but having no foundation in reality. What was the declaration that had been candidly made by the right hon. gentleman? That, after twelve years of peace, during which time we had been compelled to borrow money every year, whenever the loan from the Bank stopped, they must make up their minds either to have recourse to a loan or to lay on new taxes. Was it possible, after such a statement as that, that the House could allow his majesty's government to go on with the unexampled expenditure which had been hitherto permitted? Instead of taking the more fair and manly course which so obviously presented itself, the right hon. gentleman had said, that we must be prepared to meet our difficulties at the end of another year. What prevented us from endeavouring to look out our difficulties in the face instantly? The right hon. gentleman had dwelt with great complacency on the continuance of peace, on the great productive wealth of the nation, on the probable increase of demand for its commodities, and on the gradual accumulation of its available capital. Now, in talking upon these subjects, the right hon. gentleman had wilfully shut his eyes against facts. What was the state of the shipping interest? Had the right hon. gentleman any hope that he should derive an increased revenue from the increased prosperity of the shipping interest? What was the state of the manufacturing interest? Was there any man who would say that the profits on manufacturing capital during the four last years, or even during the present year, were such as to warrant the right hon. gentleman in proceeding to carry on the government with extraordinary expense? What was the state of the mercantile interest? Was there a merchant in the House who would say that there was any kind of trade which now returned a profit equal to the usual rate of interest for money? Let the House look to a very singular circumstance, arising out of the depressed state of the commercial and mercantile interests. The public funds, instead of being depressed by the increased amount of the debt, and of taxation, and the diminishing amount of the revenue, had actually risen, and why? Because no merchant could now venture to employ his money with any expectation of obtaining a suitable return for it. It was to avoid loss in commercial speculations, that individuals now put their money into the funds; and, so far was the credit of the country proved to be high from the high state of the funds, that he believed the reverse to be the case. After entering into an argument to prove that all the interests of the country were so depressed, that there was no chance of any speedy improvement in them, he called upon the House to consider the remedy which the right hon. gentleman had proposed for the existing difficulties. It was nothing less than this: to let the country go on as it was, for another year. The right hon. gentleman was the first chancellor of the Exchequer who had ever proposed to let the country go on as it was for one year, in order that he might commence the diminution of its debt at the end of that period. He protested against the House permitting the right hon. gentleman to take the estimates proposed for the present year. They were larger than they were last year, by nearly a million sterling. Although the right hon. gentleman did not talk of our being on a high eminence from which we looked down with conscious superiority on the rest of the world, he spoke of the public credit as that on which he principally depended. Now, he sincerely wished that there was no such thing as public credit. Enigmatical as it might appear, public credit would be the ruin of this country. It was to support public credit that Mr. Pitt established the sinking fund; and by the public credit thus sustained, he and succeeding ministers had been enabled to add 870,000,000l. to the national debt. He protested against the soundness of many of the financial doctrines which the right hon. gentleman had put forward, and particularly against the manner in which he had glanced over the loan—for such, in point of fact, it was—that he had borrowed from the Bank this year. He protested against increasing the unfunded debt by 3,000,000l. to keep up the ridiculous system of funding and refunding, which had been followed so much and so ruinously of late years. In the year 1822, the government had borrowed 13,000,000l. of the Bank. It gave the Bank 100l. for
every 73l. which was advanced; the sum was afterwards paid off by dribbles, and the government replaced it at 83l., 95l., 96l., and even 97l. three per cent.—He then pointed out the disadvantageous operation of the sinking fund to the public, and entered into several statements to prove that it had lost 234,000,000l. since the institution of it by Mr. Pitt. Last year the unfunded debt had been reduced; and he strongly protested against the right hon. gentleman's risking such a crisis as that which occurred before, by keeping up so large an unfunded debt. It was a most injurious plan, and ought not to be sanctioned by parliament. The finances presented the double spectacle of a diminished income, and an increased expenditure. With respect to the reduction of two millions of taxes, to which the right hon. gentleman had alluded, he begged to ask whether the House would have agreed to that reduction if they had thought that it was to be followed by an annual addition of two millions to the debt? By the course pursued, our financial system was so complicated, that it was impossible for any man thoroughly to understand it. After some observations on the measure of last year, by which six millions had been paid to the Bank of England to enable it to meet any difficulties, the hon. gentleman repeated his protest against going on in this manner. If we had not the means of meeting our expenditure, our only course was at once to reduce our expenditure. Our expenditure might be reduced by five or six millions, without inflicting injury upon any department of the public service. As to the expedition to Portugal, he condemned it on principle. He condemned ministers for endeavouring to force a government on that country. Where was the majority—in the government, the people, or the army—in Portugal, to which the right hon. gentleman had looked for support? If the Portuguese wished to have a tyrannical government, in God's name let them have it. But, we must support liberal principles forthwith! The right hon. gentleman was, it seemed, displaying a standard, on which all liberal men rallied. He had no objection to his doing so, if it was to be at his own expense; but he had a great objection to his doing so at the expense of the country, at a time when the labouring classes were unable to obtain half a bally-full. If the right hon. gentleman did not state distinctly that our troops were coming away from Portugal, he would bring the subject under the consideration of the House. It was not merely the loss of the million which had already been expended in this absurd undertaking that he lamented, but he was apprehensive of greater sacrifices, and he condemned the principle on which the proceeding had taken place. Such an expedition, the object of which was by domination and awe to influence a people in the choice of their government, was strongly contrasted with the former opinions of some of those who had supported it, when they declared that the people of every country ought to be left to their own choice in that respect. Until assurances were given of a speedy termination of this project, he would not sanction the vote of credit when brought forward, even if he were single in his opposition. He contended, that all our establishments were much larger than our income warranted, and the wants of a free country required. He contrasted the expense of the British with that of the American government, eulogizing the universality of suffrage by which the latter was supported, and praising the quiet manner in which large popular elections were decided under it by means of the vote by ballot. He maintained that it was not merely a dereliction of duty, but downright inhumanity, for the House to allow matters to proceed in their present course. If the government wanted money to meet its expenditure, let it lay on new taxes: above all things, let it not suppose that it would not want taxes hereafter, because it had now obtained a loan. The time of reckoning would come; and therefore it was that he denounced the doctrines of the right hon. gentleman opposite to be as indefensible in theory as they were ruinous in practice. He protested against the incorrect manner in which the right hon. gentleman had drawn up his average of our income and expenditure for the last five years. He contended, that the deficit in the revenue for the present year amounted to between 2,000,000l. and 3,000,000l., and maintained that it was incumbent on the House to ask whether there was likely to be a less deficit for the coming year. He insisted that the deficit would not be less, and that it ought to be paid off instantly, instead of being tided over, as the right hon. gentleman proposed, to the next year. In conclusion, he protested against the system which had been prom-
posed that night, and called on the right hon. gentleman, if he wished to make himself popular in the country, to put an end to that delusive humbug which was entitled the Sinking Fund.

Lord A lthorp said, that, although he was afraid that the right hon. gentleman was too sanguine in the expectations which he had that night opened to the House, still he could not agree with the hon. member for Montrose, in thinking that it was the duty of parliament to force the right hon. gentleman to take into immediate consideration the multifarious abstract questions to which he had alluded in his speech. It would not be fair to the right hon. gentleman to force him at present, new as he was in his present office, into an examination of them all in detail. He thought that, even if the House had the power, it would be bad policy to force him into it, so far as the mere question of economy was concerned. If the right hon. gentleman were permitted, during the prorogation, to examine into the financial situation of the country, he would find that, the more he examined, the greater power he had to reduce the public establishments without injury to the public service. If the right hon. gentleman were compelled to begin his examination immediately, he would be too cautious in the reductions he proposed; and the consequence would be, that the country would have less hope than ever of obtaining any material relief. The right hon. gentleman had stated, that it was the intention of government to appoint a financial committee next year. This was a proceeding of which he entirely approved; because he believed that, in making this proposition, it was not intended to form a committee that would be a mere delusion on the public. To that committee he confessed he looked forward with great hope; for, if he did not expect, and if he should not hereafter find, that it recommended the strictest economy in every branch of the public expenditure, it would be impossible for him to give his support to the administration. Whatever other advantages the country might gain by possessing the present ministers, he thought it right to state, distinctly and positively, that, if great economy were not introduced into all the estimates of the next year, he should feel himself obliged to withdraw his support from the government. If the proposed finance committee were properly and fairly constituted—if it had full powers to go into the whole expenditure of the country—there could be no doubt that plans of economy would be brought forward, and he trusted they would be adopted. Therefore he approved of the proposition which had been made by the right hon. gentleman, which would keep the financial system of the country in its present state for a short time, with a view to its future revision and reduction. He knew that the increasing the amount of the unfunded debt was very disadvantageous, and under other circumstances he should not agree to it; but, under the existing state of affairs, he thought it was the best thing that could be done for the country.

Sir H e nry P a r n e l l said, that he was not one of those members, the hon. member for Aberdeen alluded to, as having withdrawn their support from his opposition to the sinking fund; for he had voted against all his motions for abolishing it; not that he thought it of any use as a sinking fund to pay off the national debt, but because he was of opinion, that in each year there ought to be a considerable surplus provided for, over and above the actual expenditure. The events of this year proved the policy of having such a surplus; because, in consequence of it, the great falling-off of the revenue had not been attended with any public inconvenience. But the present plan of the sinking fund, he was ready to agree, ought to be altered. It was an entire failure as a means of an effectual redeeming of debt. No subject was more deserving of the attention of ministers than the state of the debt: it was the great evil of our system; and now, that Mr. Pitt's plan of paying it off had proved of no effect, he thought the time was arrived for carrying into execution the plan which he had produced in 1823, for securing the redemption of a considerable part of it, by converting perpetual annuities into terminable annuities. This plan had received the entire approbation of Mr. Ricardo, as being the only one that would place a sinking fund out of the power of ministers; and as one that would work beneficially and effectually in liquidating debt. He did not agree, that there was any weight in the objection which had been made to it, that it would not be practicable to obtain such a conversion of perpetual annuities into terminable annuities as would produce any great reduction of debt. The present price of Long An...
nuities; did not justify such an opinion; but now that the rate of interest was so low, and was daily falling, the public could well afford to give a premium on the conversion, in order to secure the great object of making sure of a considerable extinction of the debt, at certain fixed periods of time. A sinking fund of two millions a year, if spread over fifty to seventy and eighty years, would redeem several hundred millions of debt; and this it would do without being exposed to be seized upon for the current expenses of the year, by any future ministers. If Mr. Pitt had made all his loans from 1793, in long annuities of fifty years or upwards, although he would have had to give a somewhat higher interest on them, they would have cost the country less than they have cost, when the interest combined with his sinking fund, and the rise of the funds are taken into consideration, and we should now be approaching fast to the periods when they would be falling in. If, instead of paying off the five per cents, in the manner in which they were paid, they had been converted into long annuities, the conversion might have been made on very favourable conditions, and the extinction of so many millions of debt would have been secured. He trusted that no more time would be lost in giving effect to this plan of a sinking fund by long annuities; at least, an act should be passed, to give an opportunity to those persons who might prefer a terminable annuity, paying a larger annual dividend to a perpetual one, paying a smaller dividend, of obtaining one. In regard to the pressure of the debt on the prosperity of the country, he did not consider it to be so great as many persons did. The debt was an evil only relatively; that is, according to the ratio it bore to the wealth of the nation; and thus, after all that can be said or done towards redeeming it, the most perfect sinking fund was a great accumulation of new wealth. The chancellor of the Exchequer had very ably and happily selected that point in a financial system, which, of all the parts of it, was the most important; namely, the power possessed by this country to accumulate wealth: it was this power, that, with a proper management of our finances, would enable it to overcome all its difficulties, in respect to its existing or future expenditure; but this being the case, it above all things was the duty of parliament so to direct its legislation, as to have no laws and no taxes that had the effect of retarding unnecessarily the progress of accumulation. Every existing restriction of trade, and every existing tax, ought to be tried by this test; namely, the effect it produced in retarding accumulation; and, whenever any new measure relating to trade or taxation is proposed to the House, the merits of it should be judged of by its probable influence in retarding accumulation. The whole Statute-book, as to trade and finance, ought to be revised on this principle; so that every thing should be done that can be done to promote the accumulation of capital, and in this way diminish the pressure of the debt. It was in consequence of the ignorance of the importance of this great and fundamental principle, that almost all past legislation on matters of trade and finance was so injurious to the best interests of the public. To this ignorance was to be attributed the Corn-laws; the system of Protecting duties; the Timber duties; the duties on East-India sugar; and that charter of monopoly which prevailed through all our commercial legislation. The hon. baronet, said, that he could not agree with the member for Aberdeen, that there existed no hopes of improvement in the country. On the contrary, it was unquestionable, that trade and manufactures were recovering from their late great depression. According to all past experience, we were now justified in looking forward to great improvement. The extreme state of distress in which trade had lately been, would, according to what had often before happened, be followed by a gradual advance towards extreme prosperity; and we might reasonably expect to see very prosperous times again before long. As to the Dead-weight, there never appeared to him any difficulty in making it intelligible; because it was nothing more or less than a plan of borrowing a great many millions of money. It was invented in 1822, in order to avoid the necessity of making a great reduction in our expenditure; and it was now very fortunate that it was coming to a close, and that we were to lose the receipt of two millions a year, in consequence of the bargain with the Bank being to expire next year; because this circumstance would be a good guarantee that we should now have an effectual plan of retrenchment adopted. He gave the chancellor of the Exchequer full credit for sincerity, when
he declared his intention to propose a committee of finance in the next session. He looked forward to such a course as the means of securing a very considerable reduction in our expenditure: he was certain such a reduction was practicable; and he thought it augured favourably of our future prospects when the finance minister adopted the course of submitting his views of retrenchment to the free examination of a committee of this House.

Colonel Davies said, that, unless ministers were determined to support every reduction that could be effected in the public expenditure, it was impossible that the country could go on, or that its commerce and manufactures could attain the high situation at which they would unquestionably arrive, if the active industry of the people was left unimpeded. He did not feel disposed to adopt the tone of censure towards the right hon. gentleman, which had been used by his hon. friend. In his opinion, the right hon. gentleman had made a very fair and candid statement. They were not to expect from the chancellor of the Exchequer a disadvantageous exposition of the finances of the country. The right hon. gentleman, by taking a straight-forward course, and meeting the difficulties of the country boldly, would do more to strengthen his power, and to secure an honourable popularity, than he could possibly effect by resorting to those miserable expedients which other ministers had been weak enough to adopt.

Lord Milton said, he could not arraign ministers as the hon. member for Aberdeen had done, because they had not come down with some specific plan of finance; because, if there were any time when it was less possible to do so than another, the present was that time. Although the country was beginning to recover from that state of prostration to which it had been reduced for more than two years, yet it had not regained that tone of calm tranquillity that would enable the government to enter immediately into an extended revision of its resources, and to propose such measures as they might confidently call on parliament to sanction. When he looked back to what had taken place within the last few years, he felt it was greatly to be deplored, that the public expenditure had not only not been greatly decreased, but had been considerably augmented. For this, however, that House was quite as much to blame as the government. As to the right hon. gentleman, he should do him injustice if he thought he would shrink from proposing to the committee to be appointed next year the reductions which were called for by the state of the country. But, if he meant to do this, he must brace himself up against all applications; he must put on the whole armour of denial to the claims made upon him; but, above all things, he must resist the importunities of those who possessed parliamentary influence in that House. He was aware that there was nothing more difficult, in the situation in which the right hon. gentleman was placed, than to resist the applications to which he was exposed. It would not be parliamentary in him to make any more direct allusion to those applications. He trusted, however, that under the suspicions of the right hon. gentleman such claims would be resisted, and that reductions would be made in the public expenditure. With respect to the sinking fund, he thought it a great delusion to imagine that that fund was to be kept up by an addition of taxation upon the country. It was one of the great errors of Mr. Pitt's system, that the people should be taxed to buy up a debt standing at four or five per cent interest, when it was clear that that money, if left to fructify in the pockets of the people, would be productive of infinitely more benefit to the country.

Sir J. Newport said, that, from the appointment of a finance committee, it might be confidently expected, that the public expenditure would be diminished, and the revenue be raised more productive. With respect to Portugal, if there were only one man in the House to support the right hon. gentleman in the course he had taken, he would be that man. It was impossible that we could have taken any other course, consistently with honour and good faith.

Mr. Brougham confessed that, after the most minute attention he was capable of giving to it, he was perfectly satisfied with the mode in which the chancellor of the Exchequer was about to provide for the exigencies of the year. He could not, therefore, concur entirely in what had fallen from his hon. friend, the member for Aberdeen; and he was the rather unable to concur with him, because he had not been fortunate enough, with all the attention he had paid, to follow his hon. friend, with that certainty as to his hon. friend's conclusions, which he had generally been able to do, when his hon. friend had favoured the House with his luminous
statements. As he understood the plan of the right hon. gentleman, it was this—to
raise a sum of 3,000,000l. to supply the
exigencies of the public service. It was
one thing whether this sum should be
raised at all, and another as to how it
should be raised. Assuming, however, it
was necessary that the sum should be
raised, there were but three conceivable
ways in which it could be done. The first
mode was by raising new taxes, the second
by funding, and the third was that pro-
posed by the right hon. gentleman, which,
as he understood it, was to increase the
unfunded debt. To raise the money by
taxes was, he apprehended, on every ac-
count, most objectionable. Many years
ago he had opposed the policy of one of
the right hon. gentleman’s predecessors
in his present office, in imposing new taxes.
He had then urged, that for every sum of
money which was raised by the imposition
of a new tax, there would be a proportion-
ate falling-off in some other existing tax,
or rather a general falling-off in the whole
of the existing taxes; so that no increase
of revenue would be derived, whilst the
country would be encumbered with the ad-
ditional charge and machinery for collect-
ing the new impost. In 1819, when it
was deemed necessary (erroneously he
thought) to raise 3,000,000l. of money, in
consequence of the measure then adopted
for restoring the currency to a sound state,
he declared that to raise that sum by levy-
ing new taxes, was the worst expedient
that could be resolved upon. He then
warned the government of the inexpediency
of increasing the burthens of the country,
after its sinews had been relaxed by the
weight imposed on it, and the sources of
taxation weakened by the constant drains
which had been made upon them. Could
he, or any other man, who held that lan-
guage in 1819, now, in 1827, consistently
propound the raising of new taxes, when
it was on all hands admitted, that the state
of the country was not such as to induce
any minister to add to its burthens? He
did not think, that any person who took a
rational view of the subject could advocate
the imposition of 3,000,000l. of new taxes.
He had always thought, that the system of
raising money by loan, how grievously so-
ever it might have been abused by being
carried to excess, could, on some occa-
sions, be resorted to consistently with the
soundest policy. If a sum of money
should be required at a moment when the
resources of the country were labouring
under temporary depression, owing to the
exhaustion resulting from former drains
or to passing distress—that was a state of
things which justified, nay, called for, a
recurrence to the system of raising money
by loan. If the money must be had, it
was much easier for the country to furnish
the smaller sum to pay the interest, than
to supply the larger sum of the principal.
Having decided against raising the money
at present required, by taxes, he now came
to consider whether it was most expedient
to raise it by funding, or by increasing the
unfunded debt. It was a fact known to
every one who could read the price cur-
rent, that the three per cents were at pre-
sent at eighty-four; that was, sixteen per
cent below par, whilst Exchequer bills
were at 50s. premium. It was evident, there-
fore, that, if government funded, they would
do so at a disadvantage, and that if they
purchased Exchequer bills, they would buy
at an advantage. The difference between
resorting to an issue of Exchequer bills
and to funding would be, that the former
measure would cost the country 90,000l.
annually for interest, and the latter would
cost it 120,000l. A party holding Exche-
quer bills received 10s. less than the holder
of the other security.

Mr. Hume.—Yes; but he receives the
difference when he sells again.

Mr. Brougham.—Aye, when he sold
out again; that was if he knew as well
as his hon. friend when to sell out; and
if he knew as well as his hon. friend what
he was to get when he did sell out. But
the seller, in such case, could not be sup-
pended to be possessed of as much know-
ledge as his hon. friend [a laugh]. He
was perfectly satisfied with the promise of
a finance committee in the ensuing year.
He looked to the Report of that commit-
tee for the greatest and most important
information with respect to the debt, the
taxes, and the public expenditure. If, as
was the case, some good was derived from
the finance committee of 1817, as well as
from that appointed in Mr. Pitt’s time,
his hope was not too sanguine in ex-
pecting much more benefit from that of
next session, when he took into account
the better light, on matters of trade and
finance, which had broken into that House,
and diffused itself throughout the country,
since the appointment of the former com-
mittees. When he recollected the great
efforts which had been recently swept
away, touching commercial policy—when he recollected that the doctrine which he had, had the honour of propounding and illustrating by the well-known saying of Dean Swift (that, in the customs and excise, two and two did not make four, but sometimes only three, and sometimes not even two)—namely, that additional taxation did not always increase the revenue, but sometimes caused a defalcation—when he recollected, that this doctrine had been, of late years, recognized, and when he remembered, also, that the reduction or repeal of some taxes had already, in certain instances, augmented the revenue—when he contemplated the improvement which was taking place in the various branches of knowledge throughout the country, and when he looked at the light which was slowly, temperately, but surely, breaking within the walls of parliament, and dispelling the darkness which they had once sat in, he must confess that he looked forward with hope to the result of the labours of the committee of next session. The chancellor of the Exchequer had, in his opinion, acted wisely in not holding forth any exaggerated expectation on that subject; and he had done well in not giving too flourishing, too picturesque, an account of the state of the financial resources of the country. He had heard enough of budget statements to induce him to distrust all accounts of extraordinary prosperity, from persons in the peculiarly suspicious situation of a minister of finance, coming down with his budget and asking for supplies. He had, however, more satisfactory means of arriving at a knowledge of the state of the country, than any statement from the ministry. He was in the habit of receiving communications from persons in the manufacturing districts, who were not inclined to give exaggerated views of affairs. From the descriptions which those persons gave him of the state of the country, he had, within the last six weeks, for the first time during eighteen months, discovered the tokens of a permanent and very gradual, and, therefore, he thought trustworthy, improvement. Before he sat down, he might be allowed to express a hope, that the government and the finance committee of next session would turn their attention to a tax which operated on publications.

The tax was equally oppressive to the readers of publications, and to the manufacturers of that commodity (to use the phrase which would be understood in a committee on the subject of finance), and had a strong tendency to discourage cheap publications containing useful knowledge. Those cheap publications were already (without the burthen of this tax) under proper restriction, by which he meant, not the restriction of a new and unnecessary law, but that of the old law, which armed the Crown with abundant power for punishing blasphemy, sedition, and immorality. The universal dissemination of useful practical knowledge he looked upon to be one of the greatest blessings which the upper classes of society could confer upon the country. If the tax could be taken off, or, at least, so reduced as not to affect the publications to which he alluded, he was convinced that, in a short time, the revenue would gain, rather than lose, by the measure. It was well known that, under the existing law, no publication, consisting only of one sheet, which contained an article of news, could issue from the press without a stamp. He was a member of a society which had made narrow inquiries into this subject; and the result of those inquiries was, that some classes, and by far the most ignorant, and therefore, the most in need of information, had no possible means of obtaining access to it, except through the medium of what were commonly called newspapers. Now, if only the fourth or eighth part of a sheet of a cheap publication were to be appropriated to news, and the other parts devoted to useful knowledge, which might be bound up and permanently kept, information would thus be conveyed into every farmer's house, into every manufacturer's cot, and into every peasant's hovel. He was confident that such would be the result; for such had already been the result when the experiment had been tried. The tax was more than fifty per cent on the general value of publications. Another point of considerable importance would be, to allow cheap publications to be sent by post, free of expense, or at a trifling cost. In France and America a very liberal policy was observed in this respect. In France, all useful publications were allowed to be sent by post upon payment of only half a sous; and in America, upon payment of a cent, or half a farthing. Were a similar regulation adopted in this country, prodigious benefit would result from it. How greatly would it promote the diffusion of useful know-
Frivolous Arrests Bill.

June 1, 1827.

ledge all over the country. He would say to the government, "Be not afraid of sedition; a good government has nothing to fear. If writers be seditious, better your measures. If you are afraid of the twilight in which you still sit, let in more light. Be assured, that no diffusion of light can act otherwise upon a good government than to strengthen and assist it; while it will, at the same time, better the people in point of morals and religion, and render them more firm in their allegiance." He had flung out these observations, because he had thought them well deserving of consideration; and he hoped and expected, that, in the quarter to which they were addressed, they would meet with the attention they deserved. Having disposed of this subject, he felt it necessary to refer to a circumstance which was, in some degree, connected with it,—he alluded to the motion made last night for the repeal of an act passed in troublesome times, which he certainly wished was no longer to be found on the Statute-book. In bringing forward that motion, he thought the hon. member for Aberdeen had acted unadvisedly, though, doubtless, with pure motives. In so acting, the hon. member had taken up what he (Mr. Brougham) had declined proceeding with; for he had, early in the session, given a vague notice of his intention to move for a repeal of the act. He was surprised to find that his absence from the House last night had been the subject of some comment. He thought it rather hard that his absence on such an occasion should be made a matter of reproach to him. He had heard that his offspring was to be taken from him, and treated not very tenderly; was it, then, surprising that he should stay away, and not feast his eyes with seeing his child mangled by the honourable member for Aberdeen? It was too much for human nature to bear such a sight [a laugh]. Even savage animals felt attachment to their young; and why should not a legislator have the same affection for his offspring? He could not then come to witness what he foresaw must take place. If any of the gentlemen opposite who expressed their surprise at his absence last night would promise to support his child when he himself introduced it, he would come and see that it had fair play. But when the hon. member for Aberdeen, contrary to his express desire, (for he had begged and prayed of the hon. member not to touch his child), chose to drag his offspring into the House last night, and to dandle it something in the manner that a lion would dandle a kid, and to behave in such a way as to raise up against the unfortunate child the hands of no less than a hundred and twenty persons, whilst only ten stepped forward in its defence, it was not to be expected he could endure so distressing a sight. He was certain of what would happen, when once the hon. member for Aberdeen took a fancy to his child. He protested against his child being handled by the hon. member; but it was all of no use. If he had brought the subject forward himself, he would have disconnected the question about the press and the diffusion of knowledge, from that of the Six Acts; because he knew that, if he united them, he should have no chance of obtaining the support of the House. For the reasons he had stated, therefore, he had abstained from being present at the mournful ceremony of last night [a laugh]. It was a mistake to suppose that he had supported every motion which had been made for the repeal of any of the Six Acts. Motions for the repeal of the Seditious Meetings Act, the Seizure of Arms Act, and the Transportation for Libel bill, were made when he sat on the seats opposite; and on all those occasions he had absent himself from the House, because he thought that those measures had produced no bad effect; although when they were originally proposed he had spoken, and the House had listened to him till three o'clock in the morning (a painful ceremony, doubtless, for the House, and he could assure them far from being a pleasing task to the speaker), in opposition to their enactment. His absence last night was not accidental, nor was it occasioned by the occupations of business. The fact was, he had gone out to dinner, and, had he been so inclined, might as easily have come down to the House as have gone where he did. Moreover, he would say, that as often as a motion of his was made by another member, when he did not approve of it, so often would he take leave to absent himself from the discussions.

The several resolutions were then agreed to.

Frivolous Arrests Bill.] Mr. Hume moved the second reading of this Meisle Process bill.

The Solicitor-General opposed the bill.
He thought it contained too sweeping a remedy, and was calculated to introduce an entirely new machinery into the system of law, which at that late period of the session was objectionable. He should therefore move, "that the bill be read a second time this day six months."

Mr. Hume expressed his surprise that the learned gentleman should oppose his bill, whilst he was introducing another bill on precisely the same principle, but which, being limited to sums under 20l., did not go far enough.

The Attorney-General remarked in terms of some severity, upon the ignorance, both of the Scotch and English law, displayed by the hon. mover. The bill itself had scarcely a single clause which could be called intelligible, and seemed to be the composition of some writer of the signet, rather than of a lawyer possessed of experience adequate to such a difficult task. The difference between simple and specialty debts, and between arrest on means process and execution after final judgment, were every where confounded. He was quite ready to admit that he thought the amount of debts for which arrest should be permitted ought to be extended. He even thought that 100l. would be a sum to which such arrests might be restricted; but he would by no means propose hastily such an alteration in the existing law. The House would remember that these laws were made for creditors, rather than for debtors; and he cautioned the hon. gentleman not to trust entirely to the information which he obtained by means of correspondence with persons confined in gaols. The ground on which he resisted the bill was, that it proposed to substitute the law of Scotland for that which prevailed in this country.

The amendment of the Solicitor-general was then put and agreed to. The bill was consequently lost.

ARRESTS UPON MESENE PROCESS BILL.
The Solicitor-General moved the second reading of this bill.

Mr. Hobhouse said, he had received notice of a petition which his constituents were about to entreat him, against the bill. He hoped, therefore, that an opportunity would be afforded to allow their sentiments to be heard. The bill made a most serious alteration upon the subject. If the hon. member would consent to take the discussion upon it in the committee, he had no objection to allow the bill to be read a second time.

The Solicitor-General consented to adopt that course.

Mr. Hume observed upon the absurdity displayed by the Solicitor-General in supporting this bill, and objecting to the one just thrown out.

Mr. J. Wood hoped the Solicitor-General would turn his attention to the evils resulting from that expensive writ, the special original. He had lately heard of a gentleman who was compelled to pay 17l. and costs for a debt of 90l. He understood the objection of the hon. member for Westminster would be founded principally upon the condition of the county courts, and upon their not affording any adequate remedy to the creditor. As he understood, however, that those courts were about to be improved, he was convinced that the bill would be productive of much good, both in checking the giving of credit and relieving the poor from vexatious distresses.

After a few words from the Attorney-General and Mr. Davies Gilbert,

Mr. Hudson Gurney said, he was one of those whom the hon. member for Bodmin, and his Majesty's Attorney-General would find difficult to convince, that a poor man was not as much entitled to a legal remedy against persons withholding a small sum due to him, as a rich man was against the debtor to a larger amount.

The bill was read a second time.

COVENTRY MAGISTRACY BILL.] Mr. Secretary Bourne presented a petition from Coventry, in favour of the bill for giving concurrent jurisdiction to the Magistrates of Warwickshire in regulating the elections for that city.

Mr. Hudson Gurney said, he was perfectly convicted the introduction of the Warwickshire magistracy was a wrong manner of dealing with the question, and that the only proper step to be taken against the recurrence of the violence which had so frequently occurred in Coventry, would be the restoration of its ancient charter, in the place of that of James the 2nd, and giving votes to those freeholders who were now deprived of their elective franchise, by having been transferred from the county of Warwick to the city of Coventry.

Ordered to lie on the table, and to be printed.
HOUSE OF COMMONS.

Wednesday, June 6.

TURNER'S NULLITY OF MARRIAGE BILL.] A bill "to declare void an alleged marriage between Ellen Turner, an infant, and Edward Gibbon Wakefield" being brought from the Lords,

Mr. Peel said, he rose to move the first reading of a bill which had come down to that House from the Lords, the object of which was, to afford a very unusual remedy for a wrong of, he was happy to say, very rare occurrence. The object of the bill was, to declare null an alleged marriage between Miss Turner and Edward Gibbon Wakefield. The circumstances of this case were so notorious, that it would be unnecessary to enter into a detail of the arts, the fraud, the forgery, and the villainy, which had been practised; and, in consequence of which, the peace of a most respectable family had been, for a time, disturbed. This, it was well-known to most who heard him, had not been done to gratify any other passion than avarice—to gratify the basest avarice by the basest means. The chief agent in this detestable offence, was then enduring a punishment by no way adequate—entirely disproportional—to his offence. The sentence which had been pronounced on him was a strong proof of the imperfection of human legislation. Three years imprisonment fell very short indeed of the punishment which ought to follow such a crime. Hundreds of delinquents, much less guilty than Wakefield— without the advantages of education which he possessed—had been convicted of capital felonies, and had forfeited their lives. The object of the measure sent down by the Lords was, to prevent further injury from being sustained by that family which had already so cruelly suffered; and he was persuaded there would not be the slightest hesitation on the part of the House in assisting to make the only reparation which the injured parties could receive, by clearing up all doubts on the subject at issue. In point of fact, the circumstances of the case were such, that nothing but a legislative proceeding could fully relieve them. Miss Turner could not appear in an Ecclesiastical court, because she could not be allowed to give the evidence necessary for the establishment of her suit. On the trial of Wakefield her evidence was admissible; because that trial was a criminal proceeding on the part of the Crown. But, in an Ecclesiastical court, Miss Turner would be considered as a witness who had an important interest in the result of the trial, and the court would not receive her evidence. Under these circumstances, the House would not hesitate in giving her that relief, which a court of law could not give. But he would own that, if Miss Turner were not competent, after the injury she had sustained, he, for one, would not hesitate to supply this extraordinary remedy to such a case of extraordinary injustice. He begged the House to consider that the young lady had attained only the age of sixteen; and he would ask, what gentleman would turn round and bid her apply to Ecclesiastical courts for that assistance, for which she now applied to the House of Commons? If that were to be the answer, she would find herself, in the first instance, compelled to apply to the Consistory court. From this an appeal would lie to the Court of Arches; and thence the applicant might be obliged to resort to the Court of Delegates. The conduct of Wakefield was a sufficient proof that the detestable avarice which had induced him to perpetrate the crime would prompt him to avail himself of these dilatory proceedings, to postpone to the utmost the termination of the transaction. He might be able to do this for three years. In the interim, he would take advantage of any accident that might arise, to harass the suitor, or benefit himself. The circumstances of the case were, in every respect, so extraordinary, that it would be unjust to expose the party to any risk of having the most perfect justice denied or delayed. Independently of the personal interests of the party, there were circumstances which were well worthy the consideration of the legislature. He alluded to the state of the law of Scotland with respect to marriages. In the course of the trial of Wakefield, it was held by the sheriff depute, that, notwithstanding the gross fraud practised upon Miss Turner—notwithstanding the fact that if the marriage had been completed in England, Wakefield would have been exposed to capital punishment—still the contract was valid according to the Scotch law. That witness went so far as to say, that in Scotland no fraud in either of the contracting parties would warrant the Scotch courts to set aside a marriage. If this were so, it
did appear to him that some effectual remedy should be speedily provided. But that was a matter of consideration to be reserved to a future opportunity. He trusted that the House would give to the injured party the remedy she asked for. There was a direct precedent for such an act. He was happy to say it was so remote as one hundred and forty years standing; in 1690, there was a precedent of an act, which dissolved the marriage of Miss Wharton with the brother of the duke of Argyle, under circumstances not altogether dissimilar. In that precedent alluded to, the act had originated in the Commons; and being passed by the Lords, the marriage was set aside. It was nearly fifteen months since the crime of Wakefield had been perpetrated; and it was desirable that the sufferings of the injured parties should be relieved. The expenses of Mr. Turner, in bringing the parties to trial had been little short of 10,000l. The expense, however, was the lightest part of the consideration. The dreadful anxiety to which he had been exposed was more to be commiserated. The House would bear these things in mind; and would reflect how much the evils would be aggravated, if, by a refusal of relief, they sent the case to be argued for three years in a court of law. They would surely give this young lady redress, rather than let the villainy of Wakefield triumph.

The bill was read a first time.

GRAND JURY PRESENTMENTS OF IRELAND.] Mr. G. Dawson rose to call the attention of the House to the subject of Grand Jury Presentments in Ireland. The enormous levies of money by grand juries in Ireland had increased from year to year, until they had arrived to an extent which required the attention of parliament. From returns made to the House, it appeared that, in 1803, there was levied, under the Grand Jury laws in Ireland, no less than 470,106l. in one year. But what would the House say, when they were told that this ratio had been doubled since that period? The amount of presentments levied by grand juries in 1825, was 880,478l.; and in 1826, it was 814,731l. There were no funds so badly laid out, or worse accounted for. These assessments were like a land-tax; but more oppressive in their nature, more unjust in their collection, and more unsatisfactory in their expenditure. This money was not intrusted to persons responsible for its application; and the only qualification for a grand juryman in Ireland was, a freehold of 40s. a year. There was not one single part of the system that was not liable to the strongest objection, whilst the whole of the evils were augmented by the sheriffs of each county. In England, the duty of the sheriffs was solely confined to offences in which the public peace was concerned, whilst in Ireland, they appointed those who levied the taxes. This power, as might be supposed, was not always exercised in the most faithful manner. After stating a variety of instances of the evils arising out of the system, and pointing out the special objections to the present mode of proceeding, the hon. gentleman concluded by moving, “That a Select Committee be appointed to consider what provisions it may be expedient to establish for regulating Grand Jury Presentments in Ireland.”

After a few words in support of the motion, from Mr. S. Rice, Mr. Goulburn, and Mr. V. Fitzgerald, it was agreed to, and a committee appointed.

HOUSE OF LORDS.
Thursday, June 7.

SECRET SERVICE MONEY.] Lord Ellenborough said, that, from the account of Secret Service Money laid on the table, it appeared that, during the last four years, 203,000l. had been issued from the Treasury, while, in the four preceding years, only 145,000l. had been expended for that purpose. Here, then, was an excess, during the last four years, of 58,000l.; and their lordships would naturally be led to inquire, whether there was any thing in the state of European politics to account for this excess. In 1820, no less than three national revolutions had taken place on the continent; while the last three or four years had been distinguished for the uninterrupted tranquillity which prevailed in Europe. It appeared, therefore, that our expenses for secret service varied in the inverse proportion of the tranquillity of the continent. He wished to know whether the noble secretary had any objection to lay before the House a return of the sums issued for secret service up to the present period.

Viscount Dudley and Ward.—My noble friend asks me to explain the cause of
the difference between the expenditure of secret service money in the last four years, and that of the four preceding years. Now, how is it possible to give such an explanation, without entering into a public detail of the applications of a secret service? I need scarcely remind my noble friend that such a detail would be inconsistent with the very nature of the service. It is, no doubt, generally true, that the application of the public money should be publicly accounted for; and that, with respect to the details of every branch of expenditure, except that which is now the subject of the noble lord's inquiries, the public are entitled to the utmost possible satisfaction. If my noble friend thinks the disposal of a few thousand pounds cannot be trusted to the honor and to the oath of him whose duty it is to apply them to the public service, let him pursue the fair and manly course which such a conviction ought to suggest. Let him say at once, that the head of the department in question is unworthy of all trust and confidence; and bring forward a motion, praying his majesty to dismiss him from his councils. My noble friend has also asked me, whether I have any objection to give a return, up to the present time, of the issues from the Treasury on account of secret service. I confess that there is a considerable objection, in point of principle, to furnishing statements of issues from the Treasury, on account of secret service, for short periods; because such statements are calculated to afford a clue to the way in which the money has been employed. If such a clue be given, it is by so much the less a secret service, and by possibility the whole advantage that might arise out of the application of the money, may be lost to the public by such a disclosure. Although the production of such accounts for short periods is objectionable upon principle, I believe I may, without injury to the public service, consent to the production of an account of the issues from the Treasury up to the last quarter. It may not be improper for me to remark, that at this period of political excitement, when persons disregarding facts, and actuated by no fair or rational principles, were induced to have recourse to speculations and misrepresentations, a rumour has been put forth, that a part of the secret service money has been employed to buy the press. The assertion has been made so broadly and unequivocally out of doors, that I think it right to advert to it. Your lordships are aware that, in strictness, I can have no knowledge of the details of the secret service, previously to my coming into office. At the end of the year the account is sworn to by the Secretary of State, and there is an end of it; the same thing takes place when a Secretary of State goes out of office. I have no regular cognizance of the details, therefore, previously to my coming into office. I did, however, inquire; the documents were still preserved, and the inspection of those documents has left upon my mind the strongest conviction, that not one shilling has been applied to the purpose of influencing any portion of the press of this country. I have felt myself called upon, for the sake of the public, and in justice to the character of the person who now bears the highest office in the state, to say thus much. With respect to the issues not corresponding with the parliamentary grants, I may observe, that where the expenditure in any number of years appears to exceed the grants in that time, the difference is met by surpluses from former grants.

The Marquis of Londonderry asked the noble viscount, whether he had any objection to distinguish between the portion of secret service money expended abroad, and that appropriated to the public service at home?

Viscount Dudley and Ward said, he was restrained, by a sense of public duty, from answering the question. If, upon his silence, the noble marquis founded any inference unfavourable to the right hon. gentleman at the head of the government, he could only say, that his suspicions were most unjust and unfounded. He would not be the minister to answer, for the first time, a question calculated to cast an imputation upon the government to which he belonged—an imputation which not even the utmost violence of party could justify.

Viscount Strangford said, he had been so entirely unconnected with politics during the whole course of his public life, that he should be the last man to obtrude any observations upon their lordships, in any matter which had reference exclusively to party considerations. He might, however, be allowed to say, that an experience of nearly five and twenty years, passed in the king's service in almost half the courts of Europe, had given him something like a
practical and technical knowledge of the subject on which the noble baron had addressed the House. It was to him a matter of the most complete indifference to which side of the House his opinions might be acceptable, or otherwise, so long as he obeyed the plain dictates of truth and justice. He had served his majesty under nine different Secretaries of State for Foreign Affairs, and he felt himself bound to aver, that he had never known any minister exercise over the particular brunt of expediture in question, a more scrupulous and vigilant control, or surround it with more efficient safeguards, than the right hon. person who lately presided over the Foreign Department. He had served under the orders of that right hon. gentleman in five different courts. Their lordships were aware that, as long as human nature remained what it was, occasions would arise, in the conduct of the king's affairs, in which application to that potent engine, secret service money, was indispensable. As far, however, as his experience had gone, he could assure their lordships, that whenever those occasions arose, no administrator of the fund could be more cautious in its employment, than the right hon. gentleman, or more alive to the principle, that the public money ought never to be expended on such occasions without a quid pro quo. He felt it his duty to bear this, he believed unsuspected, testimony to the right hon. gentleman, and he had no other motive in making it but his regard for truth and justice, which ought to be superior to all other feelings and considerations whatever.

CORN BILL.] Lord Goderich moved that the House resolve itself into a committee on the Corn Bill.

The Marquis of Londonderry wished, before the House went into a committee, to ask the noble lord, whether, since the majority which had recently taken place on a clause in this bill, certain noble lords had received intimidation, that if they did not alter their votes, and conform to the wishes of ministers, they would not be allowed to remain in his majesty's household? The House and the country ought to understand whether, during the progress of this bill, steps had been taken to intimidate noble lords from discharging what they felt to be their duty to the country, and especially to the agricultural interest.

Lord Goderich believed the noble marquis had exhibited the first instance ever known, of calling upon a minister of the Crown to state what advice he had given with respect to persons holding offices under the Crown, before such advice had been given and taken. He, for one, would not compromise what was due to the king's prerogative by answering the question. It was competent to the king to appoint whom he pleased to situations in his household, and to remove whom he pleased from those situations; and he did not conceive it to be at all a part of the duty of the government to state, why his majesty had exercised his undoubted prerogative. He thought he could refer the noble marquis to a case in which its such explanation had been given.

Lord Delawar owed it to their lordships and to himself to state, that, in consequence of the vote he had given on the question of the amendment of the noble duke (of Wellington), he had felt it his duty to follow up that vote, by resigning the situation he held in his majesty's household. But he had taken that course, without receiving any intimation from any person whatever.

The House then resolved itself into a committee on the bill.

The Earl of Malmsbury referred to a suggestion which he had thrown out on a former night, of admitting foreign corn by installments. He thought it would be very possible to admit monthly installments, to be regulated by the price. For example, if the price were 6s., let three hundred thousand quarters be admitted for home consumption. Let this continue monthly, so long as the price continued at 6s.; but the moment the average was under that sum, let no further limitation be permitted until it rose again; and so on. The odious measure adopted last year showed that it was possible to limit the importation; for there it was limited to five hundred thousand quarters. If it had been possible to limit it then, why not hereafter?

Earl Stanhope said, that as it was admitted that the object of the bill was prohibitory, the suggestion was perfectly consistent with it. According to the opinion of sir Claude Scott, no importation of corn was necessary for the consumption of this country; which could grow enough for its own necessities. Whatever quantity of foreign corn, therefore, was imported, would put so much British corn out of the market.
Lord Ellenborough remarked, that there was one mode in which the difficulty might be obviated, but it was a mode which no political economist would approve, though it had been adopted with advantage by several of the smaller states on the continent, and some even of the larger. That mode was, to make the state the sole depository of foreign corn. The necessary regulation would be, that it should be lawful for government to buy always at a certain low price, and sell always at a certain high price, until the market price was reduced below it. This mode would obviate all the difficulties attendant on the admission of foreign corn, and it had the recommendation of having been uniformly successful wherever it had been tried.

Lord Holland said, that those who were connected with the land would doubtless feel much obliged to the noble baron for his suggestion. For his own part, he could imagine no project more subversive of their independence. If it were adopted, there would be an end of any body deriving his income from the land venturing, under any circumstances, to vote against the government. All their chance of receiving any rent would depend on their conduct towards the government. He could not understand how any noble lord could reconcile it to his notions of the constitution, to throw out a suggestion so directly subversive of the liberties of the people.

Lord Ellenborough complained, it was exceedingly convenient for any noble lord to take only one half of a speech made by another, and to mistake a suggestion for a proposition. If the power of sale was limited by the average price, and the time of sale also, he believed no danger could accrue to the landed interest. Without trading in corn, surely the noble lord was aware, that government had other means of securing votes in parliament.

The amendment was negatived.

The Earl of Westmorland rose, also, to suggest a proposition. We were now, he said, within two months of the harvest; the season was a promising one, both here and on the continent: wool was in a state of depression, which must naturally lower the price of corn. Now, under such circumstances, if six hundred thousand quarters of wheat in bond were introduced into the market, and all the ports of Europe thrown open at the same time, he was apprehensive that the bill would be injurious, unless the admission of corn at the present period was very guarantied. The holders of the six hundred thousand quarters of bonded corn had a strong claim upon the justice of the House; and it was, therefore, desirable that that should be got rid of, before this bill came into full operation. What he should propose, therefore, would be, that the bill should immediately take effect as to warehoused corn; but not as to other corn, for six months more. He, therefore, proposed the introduction of these words: "Provided also, that from and after the 18th of August, 1827, it shall and may be lawful for the holders of warehoused corn immediately to bring the same into consumption under the provisions of this bill; and, that the provisions of this bill take effect with respect to other corn on the 1st of January, 1828."

Lord Goderich feared that the proposal of his noble friend, if adopted, would be encompassed with technical difficulties. It would postpone the period for admitting corn to be imported on payment of certain duties, and so keep those duties which were granted by the bill out of his majesty's Exchequer during that interval.

The proviso was withdrawn. On the question, that the schedule of prices and duties stand part of the bill,

The Earl of Malmesbury wished to know from the noble lord opposite, in what way it was proposed to secure to the agriculturists a remunerating price for their commodities? Taking 60s. as the point of departure, he did not see how that end could be effected. He should therefore move, that, in lieu of 62s., the importing price mentioned in the schedule, 68s. be substituted.

Lord Goderich felt, that nothing was so difficult as to demonstrate at what particular sum corn ought to be imported. It was also evident, that nothing could be more difficult than to demonstrate what was or was not a remunerating price. The noble earl wished to know whether 60s. could be secured to the agriculturist. To this he answered, that neither that nor any other particular price could be secured: 60s. had been taken, on the ground that it was equivalent to 80s. in the law of 1815. Considering the alteration which had taken place in the currency, and the reduction in the amount of taxation since that period, he thought a fair proportion had been maintained between the price formerly agreed on, and that now proposed.
The Earl of Lauderdale said, he looked on the bill as a juggl, and warned noble lords of its dangerous tendency. It contemplated as a principle the necessity of this country depending for its supply of grain upon other countries. From the beginning of time down to this day, there was no instance of a country doing that, for a continuance, with impunity. It was that which brought the Roman empire to decay. They would find in Cicero and Columella the proofs of that gradual decay of native agriculture, which had brought the use of the plough down to the least profitable occupation of the lands of Italy. The abundance of Sicily and Egypt proved the bane, after being the sustenance, of the Romans. Let their lordships look at Spain. The progress of this decay, arising from depressed agriculture, was strongly marked by laws passed to prevent importation, and to stimulate native agriculture.

The Earl of Darnley was of opinion, that the agriculturists ought to have a protection against the corn now in bond. If the amendment carried by a noble duke a few evenings ago went further than this, it went too far. He therefore intended to move, when the report was brought up, by way of amendment to the proposition of the noble duke, “that the corn now in bond should not be brought out for home consumption until the price reached 60s.; and that all corn imported afterwards should be subject to the provisions of the bill.”

The Marquis of Bute said, that his impression of the speech of a right hon. gentleman on this subject in another place, was, that the bill was intended to afford a fluctuating price of between 55s. and 65s. Now, his impression was, that the bill would never afford a greater price than 58s. or 59s.; and he should certainly support the amendment.

Lord Redesdale was firmly convinced, that, if this bill passed into a law, it would have the effect of degrading the agriculture of the country to the greatest degree. He denied that the price of provisions affected the manufacturers, whose wages were nearly double those of the agriculturists. A voice had gone forth from another place, saying, that the landed interest must be put down; but he could only characterise it as the language of conspiracy, or revolution. The whole plan of the bill was radically wrong. It was in vain to attempt to fix a standing price for corn in this country. It seemed to him, that noble lords wished to bind down nature; but, if they attempted it, “the winds and the rains would laugh them to scorn, and the frosts and the snows would hold them in derision.”

The Earl of Harrowby said, that the accusation that this was a measure of revolutionary tendency, was misplaced; and, with respect to the expression which the noble and learned lord had alluded to, he would not believe that it had ever been used, until he was told by that noble lord that he had heard it; and he refused to believe it, because he thought that a general cry of indignation would have followed the expression of such a sentiment. This measure was not one by which it was sought to attempt to disturb the operations of nature, but to endeavour, as far as could be effected by legislature, to procure an equable supply of corn, at as undervailing a price as possible. The old law could never effect this: the prices under it had been proved to be extremely fluctuating, and, during the last six years, the depression of agriculture had been very great. The measure was not the offspring of a prurient desire of reformation, but one that had forced itself upon the government. The noble earl, after commenting at some length upon the existing regulations respecting the corn trade, said, that if they persisted in these regulations, he must warn them how they endangered a recurrence to a paper currency; which he conscientiously believed would be the consequence. He was not one of those who had wished to abandon so hastily the paper currency; but now that it had been done, he could never wish that those steps of difficulty and danger should be retraced.

The amendment was negatived. The remaining clauses were agreed to, and the House resumed.

**HOUSE OF COMMONS.**

**Thursday, June 7.**

**King's Message respecting Portugal.** Mr. Canning presented at the bar of the House the following Message from his Majesty:

> "GEORGE III.

> "His Majesty, deeming it expedient to provide for any additional expenses which may arise, on account of the continuance of his Majesty's forces in Portugal, and
relying on the experienced zeal and affection of his faithful Commons, trusts that they will make provision accordingly."

Mr. Canning moved, that his majesty's message be taken into consideration in the committee of supply to-morrow.—Ordered.

CORPORATION AND TEST ACTS.] Lord John Russell said:—In rising to present several petitions for the repeal of the Test and Corporation Acts, I deem it my duty to explain to the House, as clearly as I can, my reasons for the unusual course I am about to pursue on that important question. Ever since I have been a member of this House, my votes have been guided by the principle, that the subjects of these kingdoms ought not to suffer any civil penalty, any civil hardship, any civil inconvenience on account of their religious belief. Directed by this principle, I have voted for removing the disabilities imposed by law on the Roman Catholics from whatever quarter, and in whatever shape the motion appeared. But if I gave the full benefit of this principle to the Roman Catholics, whose religion has been mixed even at this day by some of its more extravagant professors, with the most objectionable, and the most slavish political doctrines, I could not refuse to extend it to the Protestant dissenters, who have ever been attached to the free constitution of this country; if I admitted to all the privileges of that constitution, those who, during the last century, had been the adherents of the house of Stuart, I could not but grant the same admission to the Protestant dissenters, who have ever been the zealous, persevering, constant, and active, friends of the house of Hanover.

When, therefore, I was applied to by the committee of deputies, and others, who for more than ninety years have been considered as the organs of the body, I did not for a moment hesitate to assure them, that I would willingly move this House for a repeal of the Test and Corporation Acts. Had that motion been proceeded in, I trust I could have shewn that these statutes were nothing but the dregs of that persecuting spirit which caused the calamities and civil wars of the sixteenth and seventeenth centuries. I trust I could have shewn, that the test required in this instance is peculiarly revolting, inasmuch as it tends to the profanation of one of the most sacred rites of our religion; making the mask of piety and holiness a qualification for ambition, and converting that which was left as the bond of brotherhood among all the followers of Christ, into the sign of disunion and separation. I trust I could have shewn that the annual Indemnity Act, upon which some persons rely so much in argument, is nothing but an incomplete and insulting pardon to men who have committed no offence. Incomplete, because it leaves it open to any one by making a previous objection, to exclude a dissenter from a corporation: incomplete, because it does not shelter the dissenter who accepts office from the penalties of the Test Act if judgment be already obtained—insulting, because by the terms of the Indemnity Act, any dissenter who holds office is liable to the imputation, an imputation sanctioned by the high authority of Lord North, that he is guilty of a mental fraud, and evades the provisions of the law.

Sir, upon these grounds and many others, I trust I should have been able to convince the House, that the Statute-books ought to be cleansed of these disgusting acts. But, after I had given my notice, occurred those changes in the administration which have been the subject of so much remark and discussion. Upon that event, many of the dissenters, feeling, as it were, by instinct, that a ministry was formed more favourable to religious liberty, than any which had existed during the thirty-seven years in which their question had slept, doubted whether it were fair, and whether it were politic to force such a ministry to an immediate expression of opinion upon this important subject. Others, with whom I agreed, did think that the present was a favourable time for the discussion. Amid this diversity of opinion, I thought I could do nothing better than refer to that committee of dissenters, which had been allowed to act as their organ since the year 1734. They, after much discussion and deliberation, agreed, by a large majority, to request me to postpone the motion of which I had given notice. They at the same time desired me to express their determination to press the question forward early next session, and, if unsuccessful, to bring it in from year to year. With regard to bringing it in from year to year, I desire at present to express no opinion, but with regard to next session, I must say I think they have a right to expect that the question should then have a fair discussion in this House.
I will not conceal from the House, that, since the resolution of the committee, I have received various intimations from individuals, that in their opinion the majority of the dissenters wished the question to be pressed. But, as they did not refer me to any organ by which the general sentiments of the body might be collected and expressed, I felt myself bound to abide by the decision of that body which for so long a time had been considered as speaking the sense of the dissenters. Had I done otherwise, had I persisted, it is easy to perceive that many members of this House would have taken advantage of the vote of the committee, and would have voted for the previous question, on the express ground that the petitioners themselves did not desire the motion to be persevered in during the present year. Undoubtedly it is a painful situation for any man to be liable to the imputation of acting from personal or party interest, but I should despise myself if, for the sake of removing such an imputation from myself, I should injure the great cause with which I have been intrusted.

It only remains for me to call the attention of the House in a few words, to the petitions which have been presented. They are not only numerous almost beyond precedent, but there are many of them which deserve, in a peculiar degree, the consideration of the House. I allude to those which are founded on the broad ground of the injustice and impolicy of all disabilities on account of religion. In support of these petitions, I have had many letters from dissenters, declaring that they asked for concession, with an earnest desire that the liberty they claimed for themselves might be extended to others. There are likewise many petitions from members of the church of England, calling themselves friends of religious toleration, praying for the repeal of those acts as an unjust infringement on the freedom of conscience. I shall likewise have to present a petition from the Roman Catholics of the midland counties, signed by a Roman Catholic baronet, the president of a Roman Catholic college, and many Roman Catholic clergymen, praying for the repeal of the Test and Corporation Acts. In the letter, giving me notice of this petition, I am informed, that endeavours have not been wanting to persuade the petitioners that the dissenters, if admitted to the full enjoyment of the constitution, would afterwards prove the most bitter opponents of similar concessions to themselves. But they say, wisely and generously say, "With interested calculations of this kind we have no concern: for our co-operation in the cause of religious liberty we are responsible; for the use they may make of that liberty, the Protestant dissenters are alone responsible."

Sir, these sentiments have my cordial concurrence; and I cannot but wish that the Protestant and Roman Catholic dissenter, with the liberal-minded of the Established Church, would unite in the cause of freedom of conscience. Then we might hope to see all the civil penalties, and disabilities on account of religion, which unhappily distinguish our Statute-book, from the laws of all the more enlightened nations of Europe, entirely swept away. I feel confident that such an end to persecution of all kinds, would strengthen and enrich the state; would secure, and fortify the established church; would purify and exalt the spirit of religion.

Mr. W. Smith said, it would be ungrateful in any one connected with the Protestant dissenters, not to thank the noble lord for the part he had acted on the present occasion. The dissenters very naturally thought their interests were connected with those of the state. It was true there were differences of opinion amongst the body, as to the question of bringing on their case in the present session; but the majority, in deciding for its postponement to the next, hoped that by that time their situation would be better known, that the prejudices against them would be removed, and that they would stand better with parliament. It was a gross fallacy to suppose, that the grievances of the Protestant dissenters were only theoretical; was it not a practical grievance, that a dissenter could not be a member of Oxford university without declaring his assent to the thirty-nine articles?—that he could not take his seat as a magistrate, without the sacramental test, if any person chose to insist on it? He trusted, that the justice of parliament would soon put an end to these disabilities.

Mr. J. Wood was favourable to the repeal of the Test, and Corporation Acts, and contended that their existence were practical grievances to the dissenters. It was a practical grievance, that many of that class, who were men of immense wealth, should be shut out from all influence in the corporation of Liverpool.
Ordered to lie on the table.

Bank of England—Circular respecting Country Banks.] Sir J. Wrottesley rose, in pursuance of notice, to move for the production of the letter alleged to proceed from the Bank of England, and tending to cast doubts on the solidity of the country bankers. Perhaps the House would think he ought to be satisfied with the unequivocal denial of one of the directors of the Bank, that the letter in question had originated with their body. Certainly he would have abandoned his motion, had it not appeared to him, that the letter was intimately connected with other circumstances, which induced him to believe, that, although that letter was not the result of any consultations of the Bank directors, it was still written and circulated, with their knowledge, by one of their number; who, having been employed to inspect the branch banks in the country, had shown it to several persons in his travels, and that it had thus found its way to the public. Under the present circumstances of the country, he hoped the House would examine into the motives which had produced that letter; for he could not conceive that, at a time when there was every hope of a progressive amelioration in the prospects of the industrious classes, a more mischievous event could have happened, than the publication of a letter, which tended to cast discredit upon a class of persons, on whom the manufacturing operatives must depend for the advance of those wages which the promising condition of trade would soon enable them to earn. Another reason for bringing forward the motion was, that the extraordinary conduct of the Bank of England was not confined to the production of this solitary letter. There appeared in their proceedings a rooted determination to keep up a circulation of their notes equal to that which prevailed during the war. It had been difficult; nay, almost impossible, for them to accomplish that object; but, because they could not keep up their circulation to its former extent, and no longer realize the large profits which they formerly enjoyed, it was not justifiable in them to attempt to bring into disrepute other establishments similar to their own, and to build their own credit upon the ruin of that of their competitors. In the course of last session, he had endeavoured to bring the condition of the country bankers under the notice of the House; but at that time such irritation prevailed throughout the country respecting them, that they had no chance of meeting with that fair play to which they were entitled. The attack which was made upon the country bankers last year was founded on the power which they possessed to issue 1l. notes. In order to show the House how unfounded that attack was, he thought it right to state the grounds on which those notes were first introduced into the circulation of the country. Originally, the country bankers had certainly no right to expect that any such indulgence would be extended to them. Previously to the Bank restriction in 1797, they issued nothing less than 5l. notes. It was not from any solicitation on their part, but in consequence of the misconduct of the Bank of England, with respect to the amount of its issues, that the country bankers were allowed to issue 1l. notes. Temporary acts were passed, from time to time, to continue to the country banks the privilege which they had thus obtained; and for this reason, that the Bank of England continued to issue similar notes, and there was no other currency. At the end of the war the country bankers naturally expected to be called upon to pay their 1l. notes in cash. The House, however, continued the restriction for some years. The country bankers were at that time prepared to meet their 1l. notes by payments in cash; and had no wish to continue them in circulation. If they had any difficulty upon the point, it was completely removed by the bill which the late marquis of Londonderry carried through Parliament in 1822. In consequence of the agricultural distress which then pervaded the country, many petitions were presented to Parliament; and it was found necessary to reduce our establishments, and take other measures to give relief to the agriculturists. If hon. gentlemen would take the trouble to refer back to the speech which the late marquis of Londonderry made in May, 1822, they would find that one of the modes of relief suggested for the agricultural distress was the continuance to country banks, for ten years longer, of the permission to issue 1l. notes. Now, if the country bankers were prepared to give up the circulation of their 1l. notes at the close of the war, and were then permitted to carry it on for three years longer, and were then again at the end of that time
led to believe, that they should be permit-
ted to issue their 1L notes for ten years
longer, was it just to call upon them, on a
sudden, to give up that which had been
offered them, and to give it up at a time
when considerable irritation was excited
against them, and when doubts prevailed
as to their solvency and credit? There
was another very strong reason why he
wished the House to look with attention
to this part of the subject. On the first
day of the session of 1826, ministers pro-
posed to abolish the circulation of 1L
notes. They never deigned to make any
inquiries into the manner in which that
circulation was carried on, and in which it
operated upon the various classes of the
community. They carried their proposi-
tion—such were the prejudices of the House against the system—by one of the
largest majorities ever known. What,
however, was the course pursued with
respect to Scotland? As soon as the deter-
mination of government was known in that
country, the table of the House was loaded
with petitions from it against the measure.
A committee was appointed to examine
into the allegations of the petitioners. The
petitioners had a fair hearing; and, subse-
sequently to it, no proceedings were taken,—
a circumstance from which he inferred,
that they had made out a case, which pre-
vailed on the House not to alter the system
of banking in Scotland. Now, it was rather
a hard case upon the bankers of England,
that no such inquiry was granted to them.
He would venture to say, that if any
gentleman wished to know the system of
banking in England, he had only to look
to the evidence given by the Scotch bank-
ers, and to change the word Scotland for
England wherever he found it. There
was, however, a strong exception in
favour of the English bankers; their
system was much more cautious than
that of their Scottish rivals; they never
dared to advance so far as the bank-
ers of Scotland. With regard to this
particular letter, if the Bank of England
had confined itself to proposing to the
country banks to take its notes, he could
have no objection. Even if the letter had
been private, no one would have had a
right to interfere; but it tended to throw
great and undeserved discredit on the
country banks. The proposal contained
in the letter was founded upon certain
doubts, which it appeared to entertain of
their solidity. Now, as twelve months had
elapsed since the existence of the panic,
during which time not a surmise had been
made to the discredit of the six hundred
country banks which existed at present, it
was most unfair and unjustifiable in the
Bank of England, to scatter doubts in the
public mind, as to the solvency of such
establishments. The letter began as
follows:—"Assuming it to be desirable
to retain a paper-money currency con-
vertible on demand, the great question for
consideration is, how that paper-money
can be so regulated as to afford the greatest
security for receivers, both as regards the
solidity of the issues and the power of ob-
taining coin for the same on demand." Now,
if this was the real object to be attained by a paper-currency, it behoved
the House to consider narrowly the trans-
actions of the Bank of England itself;
inasmuch as the great mass of paper which
was now in the country originated from
that body. The circular then proceeded:
"In order to obtain those objects, it is
necessary, in the first instance, to free
the paper-money as far as may be possible
from the effects of what has been termed
panic." It, therefore, became necessary
to consider what was the cause of that
panic. The first intimation of it proceeded
from the President of the Board of Trade,
who gave a caution to the Bank of Eng-
land, as to the way in which it was going
on with respect to its issues. The Bank
being then in possession of a large quantity
of Exchequer-bills, felt itself obliged to
bring them into the market; which, being
an unusual thing, caused considerable dis-
may amongst monied men. This, he looked
upon to have been the origin of the panic.
One or two private banking-houses failed
in the first instance, which spread the
alarm; and, consequently, every person
who had placed his money in bankers'
hands, hastened to call it in; and thereby
a run was created on the Bank of England.
It was, he believed, in reference to that
event, that the letter from the Bank had
been published. Before the holidays he
had cautioned the then chancellor of the
Exchequer (lord Goderich) of the danger
of increasing the unfunded debt. He
warned him, that on the first moment of
alarm, the government would be called on
for payment of its securities. He did not
mean to say, that, in forming the financial
plan of the year, it would be wrong to
resort to an issue of Exchequer-bills. On
the contrary, he thought it might be very
Circular respecting Country Banks.

June 7, 1827.

Useful to adopt such a proceeding; but what he objected to might be more properly called a permanent increase of the unfunded debt. So long as the Bank continued to be a large holder of Exchequer-bills, the currency must, in case of any panic, remain in an insecure state.—He might be asked, what was the remedy he proposed? He would answer, none. He had no system of his own to advocate; but merely threw out these hints for the consideration of others. The proposed issue of Exchequer-bills, although he regretted it, was, after all, only a temporary measure; and, in the circumstances in which government was placed, was perhaps the best that could be resorted to. He was only apprehensive, that some of those untoward events (which set all human calculations at defiance) might arise, which would cause a sudden demand for the payment of the government securities. He was desirous of seeing the Bank free itself from all the trammels in which it was placed with regard to the government. The directors ought to be able at once to meet all demands upon them—to do that which they were pledged to, on the face of an instrument which he hoped every gentleman carried in his pocket—they ought to be ready to fulfil the simple promise on the face of their own note, "I promise to pay on demand," so and so. If the Bank would confine itself to that plain line of conduct, it would be infinitely more respected than it was at present. But the Bank had become so intimately connected with government, that it was no longer satisfied with conducting its own affairs, but had an itching after managing those of other persons. So long as the Bank confined itself to its own affairs, it was all very well; but, when it travelled out of its sphere to direct the affairs of other people, it seldom exhibited a great degree of enlightenment. He was desirous that some measure should be adopted by the House, which would restore confidence to those persons who had taken great alarm at the paper put forth by the Bank. In his opinion, it would be extremely unwise to stop the circulation of country bank paper; which was, in most instances, the representative of houses, land, and other available property. That, he knew, was a sentiment in which most country gentlemen participated. It was well known, that the Bank already possessed the power, by its operations on the currency, of diminishing or augmenting the value of property twenty or thirty per cent. He knew many instances of persons who had purchased estates being completely ruined by these sudden fluctuations of the currency. If these mischievous effects had taken place whilst the Bank of England paper formed only part of the circulation of the country, what evils might not be anticipated if the whole circulation were placed under its control? The property of the agriculturists and manufacturers would thus be placed at the mercy of the twenty-four Bank directors, whenever it should please them to contract or extend their issues. It appeared to him, that there existed a determination, on the part of the Bank, to get rid of all competitors. He, however, acquitted the government of all participation in such a scheme. He would take that opportunity of saying a few words, with respect to the recent change in the government. His majesty could not have appointed any persons to be his ministers, towards whom he could feel more regard than towards the persons who now held those offices. He represented a large manufacturing county; and in giving his support to the administration, he was sure he should be acting up to the wishes of his constituents.—The hon. baronet concluded with moving, "That a select committee be appointed to inquire whether the Governor and Company of the Bank of England, or any Director of the said Bank, had circulated a letter, tending to cast doubts on the solidity of Private Banks issuing paper, and thereby injuring the commercial and manufacturing interests of this country."

Mr. Pease said, that the author of the letter was a director of the Bank. He was certain that individual would be extremely sorry, if any mischief had resulted from the publication of it. A more honest or well-intentioned person did not exist. With respect to the plan itself, when its author had asked him his opinion of it, he had told him he thought it a very foolish one. The manner in which the letter got into circulation was this.—The person who drew it up caused about a dozen copies of it to be made, for the purpose of giving to his particular friends; and one of those copies found its way into a public journal. He could assure the House that the plan had met with no encouragement from the directors; to whom, indeed, it had never been submitted in any shape whatever.
The hon. member had with being desirous of without regard to the resort to for that take upon himself had never been any feeling. Upon this the House to the Horner, who, the power possessed himself satisfied with prudence with which On all occasions of carrying on its possible for the best appointment of perfectly useless; to obtain any or which he had no action whatever.

Mr. Cannon explanation whose hon. Bank directed to do more the which the he not proceed government. After a was withdrawn

Penry order of this bill.

Mr. C. in the relation had such that he the of 181 in much a to the to the
most conclusive, and showed that it ought positively to be disfranchised. As to that fellow, Stanbury, what was he doing at Penryn, with his two rooms, &c., just at the time of the election? What passed between Stanbury and the electors, in the shop, was not known; but when they came out, they evidently were well pleased, and said that "Stanbury was a very nice man." Could any one doubt that they had then received the wages of their iniquity? The House would be wanting in due regard to its own dignity, if it altered the decision to which it had already come respecting this bill.

Mr. C. N. Palmer was an enemy to corruption, but he would not get at it through injustice. A case of corruption proved against fifteen or sixteen individuals was not sufficient to warrant the disfranchising of a whole borough.

Lord Milton contended, that the borough of Penryn should be dealt with as a community; and that, looking to its history up to the present time, there was a sufficient case made out to justify its disfranchisement.

Sir E. Carrington forcibly re-stated his objections to the bill, contending on grounds of justice and general policy, that no adequate case for so strong a measure had been made out.

Mr. Secretary Bourne said, he had felt it his duty to oppose the second reading of the bill, although he was friendly to its principle. He had opposed it, because he wished to transfer the elective franchise to the neighbouring hundreds. The House, however, had decided against him; and it was not his intention to dispute that decision. He could not forget the report of the committee of 1819, when this borough was under its consideration; and he should therefore vote for the third reading.

Lord Palmerston thought that no person who had read the evidence, and heard the witnesses at the bar, could hesitate as to the necessity of parliamentary interference. Although he should have liked the bill better in its former state, yet, as the House seemed to prefer it in its present, he should cordially support the third reading.

Mr. Goulburn was decidedly of opinion that, although the guilt was not so general in the borough as it had been represented to be, yet, that it was sufficiently so to call upon him to mark his sense of the existing corruption. He would therefore vote for the bill.
practised the corruption; and as he evidenced in hypocrisy and cant. He declared that the member for Westminster; for he should have expected from him the same bold expressions of indignation—the same sentiments of contempt for this effort of partial and unjust legislation—with which he had met similar cases. But that hon. baronet, much to his surprise and regret, had thought proper to absent himself from his place. To hear gentlemen talk of Grampound, Penryn, and other places, in the terms they did, one would suppose that all in that House were immuculate! That they never heard of such a thing as paying for votes—that they never heard of places where, not merely money, but conscience was sacrificed—where candidates were bound down on pain of forfeiting their seats, to vote whatever the case might be, in favour of the minister. But, so it was—when an unfortunate crow was wounded, the whole flock fell upon him, until not a feather was left in their victim. He would ask, in conclusion, were they prepared to punish the innocent as well as the guilty? He had always understood, that it was far better that ninety-nine guilty persons should escape punishment, than that one innocent man should suffer. —Would they reverse this maxim, and condemn all the innocent, lest the guilty should not suffer? They admitted that Penryn was only partially guilty; and yet, rather than not punish at all, they resolved to punish with the last degree of severity. He, for one, could not agree in the propriety of that course, and was prepared neither to hang nor to transport, but to acquit Penryn. Mr. David Barclay approved of the argument of the hon. baronet, which resembled that of the hon. member for Westminster on the Grampound case, when he expressed his detestation of hypocritical cant. He declared that the electors of Penryn were not the corrupt body they were represented to be.

Mr. Van Homrigh contended, that the evidence in this case went no further than to show that it was Stanbury who practised the corruption; and as he was not a candidate, he had committed no offence against the law by paying his money, if he chose to do so amongst the electors. He believed also that this was the first instance in the annals of parliament that a Select Committee should declare that the two members for a particular borough were duly elected, and that afterwards the House should disfranchise the same borough, on account of acts connected with that very election.

The question, "That the Bill be now read a Third time," being put, the House divided, Ayes 145; Noes 31.

Sir C. Forbes hoped he might be permitted to inquire, what new light had suddenly broke in upon ministers, that they all at once abandoned a position which they maintained on a former night? Were they, in truth, afraid of being again discomfited? Were they alarmed at the prospect of being a second time left in a minority? Had they really altered their opinions? If so, let them openly acknowledge the change. Let them act in future consistently with the vote of that night. Let them follow up this partial act of correction by broader measures. Let them at once declare themselves the partizans of reform [hear].

The bill was then passed.

List of the Minority.

Astell, W. Keck, G. A. L.
Arkwright, R. Martin, sir T. B.
Barclay, C. Maxwell, H.
Batley, H. Penruddock, J. H.
Belfast, earl of Perceval, S.
Binning, lord Petit, L. H.
Borradaile, R. Rae, sir W.
Carrington, sir E. Sauderson, A.
Chaplain, T. Seymour, H.
Clerk, sir G. Sibthorpe, col.
Clinton, F. Townshend, hon. J.
Drake, T. T. Van Homrigh, P.
Forbes, sir C. Vivian, sir R.
Forbes, J. Wyndham, W.
Grant, sir A. TELLERS.
Hastings, sir C. B.
Irving, J. Manning, W.

HOUSE OF LORDS.

Friday, June 8.

KING'S MESSAGE RESPECTING PORTUGAL. The order of the day being read, for taking His Majesty's Speech into consideration,

Viscount Dudley and Ward said:—Although I cannot anticipate any difference of opinion with respect to the subject on which I have the honour to address your lordships, I deem it more con-
venient, and more respectful to your lordships, to trouble you with a few remarks. I do not consider that I am placed under the necessity of saying anything in support of the policy which originally induced your lordships to sanction the sending of British troops to Portugal. The grounds upon which that measure was adopted were explained to the House by a noble earl (Bathurst) whom I regret not to see in his place, because I am sure I should have profited by his weight and authority, in resisting any opposition which may be made to the address which I shall propose to your lordships. The statement of that noble earl had the good fortune to meet with the unanimous concurrence of this House; and the vote for enabling his majesty to send troops to the aid of our ally was passed without a dissentient voice. All the noble lords who spoke on that occasion spoke strongly in favour of the measure. The noble baron (Holland) and the noble marquis (Lansdown) near me, who at that time sat on the other side of the House, did not hesitate to give their assistance to the proposal of his majesty's government. Above all, the measure was supported by that great general and statesman, whose authority is of so much weight in all military and civil questions; and whose opinions are more especially entitled to respect when he speaks of the affairs of a country which he so long guided by his counsels and protected by his arms; a man who, if he will allow me to say so much of him, is the least likely of almost any one with whom I am acquainted, both from his extensive experience, and from the natural soundness and vigour of his understanding, to be led away by any fanciful speculations or enthusiastic projects. Never, perhaps, was a measure proposed to parliament which met with more general concurrence: it was considered, in fact, not as a question of doubtful policy, but as a measure necessarily imposed upon us by the obligations of honour and good faith. I think I may also say, that scarcely ever was a measure adopted which, in a short time, contributed more to raise the already high character of this country in every part of Europe. I feel, my lords, that it would be disrespectful to your lordships to suppose it possible that any alteration can have taken place in your opinions on this subject. I am not aware of anything that has occurred which can have occasioned any alteration of those sentiments. In this House, not the slightest objection was made to the measure; but I have heard of a sort of apprehension that it might involve the country in the calamities of a war. Now, in point of fact, the effect of this measure has been, to render altogether hopeless and desperate the designs of those Portuguese rebels, which were carried on for some time, if not with the absolute assistance of the Spanish government, at least with the connivance and support of the Spanish authorities. The effect of this measure has been, to frustrate those designs, and thereby prevent a war, which must have been calamitous to Spain herself, and which might have endangered the tranquillity of Europe. In calling upon this House, therefore, to fulfil this promise of assistance, and to maintain the course of policy dictated by good faith, as well as by the interests of this country, I do not feel myself obliged to do more than assure your lordships, that the circumstances which originally called upon us to send aid to Portugal have not entirely ceased to exist. It is a great satisfaction to me, however, to be enabled to inform your lordships, that they exist in a much more mitigated degree; and that a negotiation has been entered into between the governments of Spain and Portugal, which, promoted by the authority and interference both of England and France, is likely to end, at no distant period, in an accommodation of existing differences. Such an accommodation will relieve us from the necessity of maintaining troops in Portugal; but, in the mean time, we ask for the means of maintaining them there, so long as the honour and security of our allies may render it necessary. Of course it is difficult to specify the precise time at which it may be expedient to withdraw them; it is not a thing capable of accurate and precise specification. Your lordships will, I am sure, agree with me, that circumstances which might not be sufficient to induce us to send troops to Portugal, would be sufficient to induce us not to withdraw them. We ought, in prudence, to have a reasonable assurance—and I trust the period is not far distant when we shall have that assurance—that the troops may be withdrawn, without the hazard of a recurrence of those circumstances which originally obliged us to send them thither. How long it may be before we can ha-
I am desirous, however, to give as much satisfaction to this House, and to every individual member of it, as is consistent with my public duty, I will state this much:—It is obvious that the casus fanderis which called upon us to send troops to Portugal, was a case more or less against Spain. I admit that, if things were an unfavourable aspect, and there was a tendency to a complete rupture rather than to an accommodation of differences, it might be highly proper to lay papers before the House. But when, fortunately, things have taken a different turn—when the conduct of Spain has been conciliatory, and there are sanguine hopes of an accommodation, this is surely not the moment to lay papers on the table, the tenor of which papers must be, to make out a case against Spain.—The noble viscount concluded by moving an Address to his Majesty, assuring his Majesty of the perfect concurrence of that House, in enabling his Majesty to provide for any additional expenses that might arise on account of the continuance of the British forces in Portugal.

Earl Grey.—It is not my intention to offer any opposition to the present motion; but I feel it necessary to state shortly, the terms upon which I am prepared to do it, and to make some reservation as to the opinions which I may consider it my duty to declare, at a period better suited to discussion. In the sentiments expressed by the noble viscount at the conclusion of his speech, I have to declare my unqualified concurrence. I certainly think it would not be right to press ministers for the production of any papers, under the circumstances which he has stated. It is quite sufficient to satisfy the House of the impropriety of any such production, to state that there are negotiations pending, of the amicable termination of which a strong hope is entertained, and which might be interrupted or defeated by producing documents of a hostile character. I am, therefore, not one of those who would press the noble lord for any documents of this description; but I may regret, that after so long a period has elapsed, since the adoption of the measure of sending troops to Portugal, no greater progress has been made in the work of pacification, and that ministers are not prepared to state, that this great and salutary object has not been accomplished. If I before felt some degree of disappointment, that
disappointment, is increased by the nature of the present message, and by the scanty explanation of it which has been given by the noble viscount. Am I to understand from the address to his majesty in answer to his message, assuring him of our readiness to give him support for the defence of Portugal, in the shape of a vote of credit, for no less than half a million, that this vote is solely for the purpose of maintaining the troops now in Portugal? I am afraid I cannot so understand it.

The number of British troops now in Portugal amounts to about 5,000; and I believe the expense of maintaining such a force would not exceed 160,000l. or at most 200,000l. a year. Now, this sum has already been voted in the usual grants for the army; and no additional sum, therefore, would be required, on account of the detachment of this force to Portugal. I am aware it may be said, that additional expenses—such as those for equipment, for the commissariat and foraging departments—are increased in the employment of troops in a foreign country. Against these additional expenses, however, are to be set others of a similar description, which would have been incurred at home; such as marching expenses, expenses for fuel, barracks, &c.

In fact, the whole of the extraordinary expenses incurred abroad, might be covered by the provision made under the usual head of army extraordinaries; and your lordships are aware, that the additional sum granted under that head in the other House of parliament was voted on the express ground of the increased expense attending the employment of the troops in Portugal. After the whole expenses of the corps now in Portugal have been provided for by the grant voted in the other House, we are now called upon for a further sum, more than sufficient for the maintenance of a force double the amount of the British troops in that country. These circumstances, I confess, excite in my mind a feeling of uneasiness and alarm. The noble viscount, instead of assuring us that the employment of the British forces has been already effectual for the purpose for which they were sent to Portugal, now calls upon us for a further supply, foreseeing, I suppose, the possibility of further difficulties and dangers, which he has hitherto been unable to avert. Instead of assuring the House, that the measures already adopted, in defence of our ally, were likely to render it unnecessary to impose any further burthens on the British public, ministers are unable to hold out any definite prospect for the withdrawal of the troops; on the contrary, they feel it necessary that their hands should be fortified with the means of carrying on preparations for the defence of Portugal to a much greater extent. If I do not press for further information, I abstain solely on the ground of my unwillingness to throw any obstacle in the negotiations said to be pending; on the satisfactory termination of which the peace and security, not only of this country and of Portugal, but of all Europe, may depend. In so doing, I reserve to myself the right of questioning, hereafter, if I find it necessary, the whole conduct of ministers with regard to this measure. The noble viscount observed, that our troops were sent to Portugal, not for the purpose of supporting constitutional Portugal, or of annoying despotic Spain, but solely on the ground of a treaty, which obliged us to defend an ancient and faithful ally. Whether the casus faderis which called upon us to interfere was clearly made out, I am not prepared to say; however interference might be justified upon the broader ground of policy, which rendered it necessary for us to take measures to prevent France from obtaining that power and preponderance over the whole of the Peninsula, which could not but be prejudicial to the interests of Great Britain. The passage in the speech of the noble viscount to which I have adverted is not quite consistent with another passage, in which he declared, that the measures adopted by the British government have had the effect of rendering desperate the attempts of the Portuguese insurgents to overthrow the constitutional government of Portugal. I think the independence of Portugal a great object; but I do hope, that in pursuing that object we shall not suffer ourselves to be led into the support of a principle which can never be acted upon without detriment to this country. With the constitution of Portugal we have nothing to do. It was not our work. It was not recommended by us. Whether it be good or bad; whether it be more or less consonant to the interests of the people; whether it be more or less accordant to their desires or dispositions; whether the party opposing or supporting it be right or wrong; whether
Don Pedro, having made his election of the Crown of Brazil, and having resigned the Crown of Portugal, had a right to send a constitution to Portugal, and enforce obedience to it—all these are questions with which we have nothing to do: they are questions for the Portuguese themselves to decide; and any interference with them, on our part, would be a violation of those national rights, and that national independence, which it is our duty, on all occasions, to support. The noble viscount has stated, that our troops have not been sent to Portugal, and that they are not now maintained there, for any such purpose. If this be the case, I trust that, from the moment satisfaction can be obtained from Spain, that no invasion or aggression will be attempted against Portugal, the maintenance of British forces in that country will cease, and that they will not be kept there under the idea of supporting one party against another, or of upholding a constitution with which we have no concern, and with which it is neither consistent with the interests of this country, nor with the faith of treaties, nor with the principles upon which the law and independence of nations are founded, to interfere. In looking to the difficulties with which the government has to contend, it is impossible not to look back also to the causes which produced them. Those difficulties arise from their having originally suffered the French to invade Spain, without regarding what was due to the honour, and still less what accorded with the interests of the country. We were then in a situation to reap advantages from a decisive course of policy, which it is doubtful whether any pending negotiations can secure to us. I shall be satisfied, if by an amicable arrangement we can procure the evacuation of Spain by the French at the same time that we evacuate Portugal; and I think we have a right to insist upon this as a necessary condition in our negotiations. The French have now been four years in Spain. Upon what pretext they remain there I know not. They originally went there under the pretence of rescuing the monarch of Spain from the hands of a faction, which, by means of a military force, was said to overpower the real dispositions of the people. Their object has long since been effected. The Cortes have been suppressed: those rebels and traitors, as they are represented by some, but those virtuous and suffering patriots, as they are regarded by others, are now dispersed over the face of Europe, the objects of compassion to every generous and feeling mind. The French have now no pretence for remaining in Spain, if it be really true that the dispositions of the people are favourable to the monarch and the government; and if their presence be necessary to support the government, it is a government which ought not to be supported. It has been said, that there is this difference between the situation of Spain and Portugal; that in Spain the general dispositions and feelings of the people are decidedly in favour of an absolute king, and that in Portugal the dispositions of the people are as decidedly in favour of a constitutional government. By some singular fatuity, however, it is found necessary by the French to continue an army in Spain for the support of the absolute monarchy to which the people are so much attached; while we are obliged to maintain an army in Portugal, under the apprehension, that if it were withdrawn, the constitutional government, of which the people are so fond, would be immediately overthrown! These are the difficulties in which people and governments are placed, by departing from a liberal and enlightened policy. I earnestly hope, that the government may still return to those principles. Had his majesty's ministers originally acted upon them, I feel persuaded that the object sought by the pending negotiations—a consummation devoutly to be wished for—would have been already accomplished; and that they would not feel themselves obliged, after such a lapse of time, and so large an expenditure, to call upon this House to strengthen their hands, with a view of providing against still existing dangers, and in explanation of the grounds on which I give a qualified assent to the present motion.

The Address was agreed to, nem. dis.

HOUSE OF COMMONS.

Friday, June 8.

CAPE OF GOOD HOPE—Petition for a Representative Government.

Mr. Baring rose to present a Petition, signed by the majority of the most respectable residents of the Cape of Good Hope, complaining of the maladministration of the affairs of that colony, for some years past. When the House considered that this colony was gradually growing into
great importance, he was sure the petition would meet with that attention which it merited. The Cape, it should be remembered, was peculiarly situated with reference to the state of other colonies, where the principles of the British constitution were firmly established. He knew not why a solitary exception should be made with regard to the Cape of Good Hope. It was painful to think that the residents in that colony lived under a system of government, as despotic as that of Turkey. There was no trial by jury; and the lives and property of the colonists were dependant on the arbitrary will and disposal of those who were removable at the pleasure of the governor. Thus circumstanced, the colonists had no other resource than to apply to parliament, for that redress for which they vainly looked elsewhere. Sixteen hundred individuals, composing the respectability and intelligence of the colony, had signed this petition. The petitioners disclaimed any desire to cast any personal imputations on the character of lord G. Somerset; but, whether the malpractices complained of were occasioned by the late governor, or in consequence of orders from home, they, in either case, called for a speedy remedy. For the last fifteen years, a system of mal-administration had been pursued in that colony, to an extent which was quite lamentable. The hon. gentleman then referred to the state of the currency at the Cape, and passed some severe strictures on the conduct of those whose duty it was to preside over that department. The simplest clerk in any of the banking establishments of this country would have been utterly ashamed of himself, were he to transact business in the manner which had been practised at the Cape. These were subjects which he had no doubt would be looked into by the noble lord now at the head of the colonial department; but he must say, that no slight or partial measure would remedy the evils of which the petitioners complained. It would be necessary to give to the inhabitants of that colony some authority in the colony to which they could make their complaints, and in which they could place confidence; for hitherto they had no such resource. His opinion was, that the colonists should possess some local popular organ, through which their complaints might be made public. At the present moment, the only answer made to persons making complaints in print was, to send them out of the colony. This course was recently adopted towards an individual, whose only offence was publishing some extracts from the London papers. He thought the colonists of the Cape were entitled to have some legislative body which should exercise a power independent of the governor. There should also be made an improvement in the judicial system, by rendering the judges independent of the governor. These changes would have a most salutary effect on the colony, by giving the people an influence in the institutions by which they were governed. He would not take up the time of the House longer, but move that the petition be brought up.

Mr. W. Horton was far from thinking that the prayer of the petitioners was deserving of attention; but he must, in the outset, protest against what seemed to be assumed by the hon. gentleman, that up to the present moment, nothing had been done to ameliorate the condition of the inhabitants at the Cape, and that now, and now only, some steps for that purpose were commenced. This mode of dealing with the question was, he considered, extremely unjust to the late administration of the colonial department. The colony of the Cape was, it should be recollected, ours by conquest, and from the commencement was governed by laws, wholly different from ours; but it had been the endeavour of the colonial department gradually to assimilate them to ours. In 1892, he himself moved in that House for the appointment of a commission (which was now mentioned as if it was heard of only for the first time) to make inquiries into several departments of government at the Cape. That commission was, for a considerable time, in active employment, and much of the result of its labours were already before the House. Was it not, then, most unfair to state, that now for the first time steps were taken by the colonial department to improve the condition of the colony? It had been said by the hon. member, that a kind of legislative assembly or representative government should be given to the inhabitants of the Cape. Were not hon. members aware, that the Mauritius, Ceylon, New South Wales, Van Dieman's Land, and other British colonies, were without representative governments, though it was well known that some of them were inhabited almost exclusively by Englishmen, or their descendants? But, even to this point the attention of the colonial government had been given. He would
read to the House an extract of a letter from general Bird to lord Bathurst on this subject. Here the right hon. gentleman read the extract, in which the general, after pointing out many changes in the administration of the colony, observed, that the inhabitants did not possess within themselves the materials for forming a representative body. He did not even think that they were fit to enjoy the benefit of trial by jury, except in criminal cases. It was proposed to establish a council similar to the India council. It was also intended to have a reform in the judicial system of the colony; and with these alterations, he thought it better to wait until the colony was ripe for a more enlarged scale of improvement, than to begin with a system which the colony was not in a condition to receive. Many improvements in the administration of the colony were already in progress, the result of diligent investigation, which had been carrying on for the last four years. It was no valid objection to the administration of the colony, to say that for some years, its currency had been in an unsettled state. The same might be said of the currency of this country for many years; during which much ignorance prevailed on subjects connected with it, on which, within the last few years, much sounder principles prevailed. The establishment of one general standard for the currency of the colonies would be productive of much benefit, in this respect. He would now advert to a subject of a nature personal to himself. He alluded to a pamphlet which had recently been published by sir Rufane Donkin, reflecting on what he (Mr. W. Horton) was supposed to have said, in that House. This mode of proceeding on a public question was, to say the least of it, very inconvenient; for the gallant officer might have brought the subject before the House by petition. In that pamphlet, he (Mr. W. Horton) was made to say, that sir R. Donkin had offered to make charges, and then withdrew them. Now, he had never said any such thing; but he had read a letter, in which sir Rufane declared, that he had that to disclose, which would cover lord C. Somerset with ruin," A letter was written by lord Bathurst's order, calling on the gallant general to produce his charges; and he then denied that he had any charge to make, or that he had intended to make any. He said, he had no direct charges to bring, but that he would make disclosures. Now, in the ordinary acceptation of language, when a man said he had disclosures to make which would cover another with ruin, was it not natural to suppose that he had in his possession matters of charge against the party alluded to? He was not called upon to bring forward a public accusation, or to impeach lord Charles Somerset. He was only required to bring forward his disclosures; and then he stated, that he had no charge to make. But the fact was, he had no disclosures to make, which were not already known to the colonial department through other sources.

Mr. Maberly, in reference to what had fallen from his hon. friend (Mr. Baring) respecting the alleged maladministration of the colony for fifteen years, observed, that such a sweeping charge would unjustly include the government of the colony during the administration of sir R. Donkin. It should be borne in mind, that at the time sir R. Donkin left the Cape, he received the most marked testimonials of the approbation of the colonists. He had also the entire approval of his majesty's government at home. There was no ground, therefore, for including his government in the administration spoken of. He had found the finances of the colony in a very embarrassed situation; but he had so improved them, that at his departure he left 125,000 rix dollars in the treasury. With respect to the pamphlet, he did not advise, or approve of, its publication; for he agreed that it was a very inconvenient mode of discussing the merits of a public question: but he must say, that sir R. Donkin was at all times ready to state his disclosures, provided an opportunity were given to him. This was fair; and all that could be expected from the gallant officer.

Mr. Hume said, there were great difficulties in the way of sir R. Donkin's bringing forward a public accusation, which, if he were anxious to undertake the task, he would be unable to surmount, without the aid of the colonial department. The heads of that department owed it to the colonists to institute an inquiry, where their interests were concerned, and when important charges were offered to be proved. As it was acknowledged, that the colonial department had long been aware of the disclosures which sir R. Donkin could have made, it reflected strongly on them, that they had not instituted some inquiry on the subject.
Mr. Canning asked whether any department could pursue a course more fair than that which had been taken by Lord Bathurst on this occasion? A gallant officer came forward and stated, that he was in possession of information which would be the ruin of the head of one of the colonial governments. What could Lord Bathurst imagine from that, but that the individual making the offer (approver or informer he would not call him) to bring forward his charge? So far from thinking that the noble lord had not gone far enough in giving him the opportunity, he was of opinion that he had gone rather too far. If it were his own case, he would say, that it was not unfair to call on the individual making the offer (approver or informer he would not call him) to bring forward his statement. He would have gone further and asked him to give his information in writing. It would never, for a moment, have entered into his head to have received his disclosures at a private interview, and to leave the question, as to the nature of the information given, to depend afterwards on the veracity of him or his informant. He would never have admitted him to such interview, unless a third party was present, to take down all that was communicating. It was prepared to bring forward his charge. So far from thinking that the noble lord had not gone far enough in giving him the opportunity, he was of opinion that he had gone rather too far.

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Mr. Baring said, that if the colonial department ask any of the inhabitants, not actually in office there, and they would find them unanimous in their opinion of the maladministration by which the colony was so long afflicted. As to the commission which had been sent out, he believed it was agreed on all hands, that its chief results were increased charges and salaries, without any practical benefit to the colony. Was it not well known that there was no such thing in the colony as the liberty of the press—that the judges were removable at the will of the governor? And he would ask the veriest Tory in that, or, what was worse, in the other House of Parliament, was that a state of things under which Englishmen ought to be allowed to continue? It was said, that other English colonies had no representative government. So much the greater disgrace to the government at home, if they were in a condition to receive it. If the right hon. gentleman refused to give a representative government until the colonies were ripe to receive it, he would tell him that they would never be ripe until they got it. If he treated them like children, and never set them on their legs, they would never be able to walk like men. If the right hon. gentleman withheld constitutions from the colonies, until they were fit to receive them, he would tell him that, if he lived ten centuries, he would never see them in a proper state to receive them. He meant to cast no aspersions on the government of sir R. Donkin. He knew nothing of it. As to that of lord Caledon, he believed the noble lord did as much as any man could do to make despotism
tolerable; but Englishmen should not depend for their prosperity or comfort, on the personal feeling of any governor.

Ordered to lie on the table.

**King's Message respecting Portugal.**] The House having resolved itself into a committee of Supply.

Mr. Canning rose. He said, that on a former evening, when he had brought forward his statement of the financial condition of the country, he had informed the committee that he should have to ask it for an additional vote of credit of 500,000L., for the purpose of meeting the contingent expenses of the further continuance of his majesty's forces in Portugal. The grounds on which those forces were sent to Portugal had been so fully explained to the House, and so nearly unanimously approved by it, that he held it unnecessary to refer to them; and he had little further to say at present, than that the same causes which induced his majesty to determine on sending that expedition, though diminished in their operation, still existed in sufficient force to render the continuance of our army in Portugal necessary. On the first occasion, when he mentioned this subject, he had taken the liberty of stating, that it was impossible for him to explain the full extent of the grounds on which his majesty's determination was founded, without entering into an hostile explanation of the conduct of Spain, which it was undesirable to give whilst there were any hopes of adjustment existing. If, in the hope of adjustment at a time when irritation prevailed, and menace was employed, it was prudent to abstain from irritating discussion, much more prudent was such a course now, when the most sanguine expectations were entertained, that all the causes which we had for distrust were coming to a speedy termination. The mere fact of sending our troops to Portugal had met, repelled, and anticipated the danger of ruin which threatened that country. That danger had been repelled—not by any active exertions—but by the mere presence of the British forces on the soil of Portugal. He would not pretend to deny that there had been differences and variations of counsels, on the part of the Spanish government, which had threatened the renewal of the same dangers; but he was now happy to state, that the tendency of the king of Spain's counsels was less dangerous, and that the country might look forward to a speedy adjustment of differences between the two nations, and to a removal of the causes of them. He abstained from saying more upon that expectation, as he was not able to say when it might be realized. It would be obvious to every gentleman, that a state of things which might not justify them in sending an army to Portugal, might justify them in not withdrawing it when it was there; and that it might be prudent to keep it there, not only till the danger was repressed, but till the probability of its recurrence was prevented. He had no hesitation in informing the House, that the prolongation of the stay of the British troops in Portugal rested upon the very same grounds as those on which they were sent there, and not upon any new causes, intentions, or dispositions whatever. He should conclude with moving, "That 500,000L. be granted to his Majesty, to enable him to provide for any additional expense which may arise on account of his Majesty's Forces in Portugal."

Mr. Bankes said, that, as he had had the misfortune, when the question was formerly before the House, to differ from a large majority of the members, and as nothing had happened since to alter his opinion, he should trouble the committee with a very few words. No further communications had since been made by government to the House, and therefore, individuals like himself knew no more upon these affairs, than what was supplied by the common sources of public information. But from all that had been related, it did appear to him, that the cases fœderis, on which alone the conduct of ministers could be justified, had not been made out by the right hon. gentleman. The country was in the situation consequent upon having taken one wrong and precipitate step. There might be many persons convinced by the reasoning of his right hon. friend, in the speech he had uttered on this subject, upon first bringing it before parliament. It was a most brilliant speech, not soon to be forgotten in the old world, or in the new. Many might think the first effort right in sending troops to Portugal; but was it right to continue them there? Was there any thing unfair, was there any thing like aggression, on the part of Spain? Never had one single Spanish soldier marched across the Portuguese frontier. It had
been stated, that Portuguese rebels had been received into Spain; that they had been suffered to remain there; and that they had made a simultaneous effort. If this was true, it was clear that a Spanish soldier had never crossed the line. Had they done so since? No: never was this hostile aggression committed. But England having taken the wrong and precipitate step, and having sent her army into Portugal upon unjust pretences, she now had not the means, or it might not be competent to the country to bring them back. Even if an address were to be proposed to the Crown to recall them, he did not know whether he could now agree to it. The country might eventually be involved in a war, by the steps that ministers had pursued; for she was placed in that awkward situation in which troops could not be kept in Portugal with justice, or re-called with safety. His right hon. friend had held out hopes, that affairs were coming to an adjustment. He hoped it might be so; but he looked with surprise, when large sums of money were called for, after the troops had been already provided for in the vote of supply. The right hon. gentleman asked for a contingent sum, which amounted to no less than 100l. per man, for every British soldier in Portugal. In what way could the expenses be made to amount so high? Was it possible that five thousand men, already provided for in the estimates, should cost an additional 100l. per man? It was stated, that there was a treaty with Portugal, by which she was bound to subsist these troops. Had that treaty been carried into execution? If it had, how could this large sum be required from the English people, unless it was intended to send more men to Portugal? This did not look like coming to a speedy conclusion. The extraordinary vote could not be called for by the necessity of the case, if what the right hon. gentleman said was correct. This country it seemed, was not obliged for its state of peace to the wisdom of her own councils, but to the moderation of those of France.

Colonel Davies was astonished at many of the statements and arguments of the hon. member. He was surprised that he could maintain the present not to be a casus belli. Could any man believe that the disturbances and rebellion in Portugal had not been fomented by Spain? Language of an irritating nature ought, in the present posture of affairs, to be avoided; but he could not hear it asserted that the government of Spain had acted with good faith and moderation, without entering his protest against it. If Spain had not sent troops across the frontier, the Portuguese refugees had been armed, clothed, and paid in Spain, and enabled to carry war and bloodshed into their country. If there ever was a time in which England was called upon, by a regard to treaties and her honour, to take a part in the affairs of Portugal, it was when the British forces were sent to that country. The Spanish army was upon the Portuguese frontier; and, if the British troops were withdrawn, they would march to Lisbon. Unless the House was prepared to say that Portugal, as well as Spain, should become a province of France, ministers could not have acted differently. If, in 1822 and 1823, they had stood in their proper attitude, they would not now have been under the necessity of incurring the present expense. They might have saved Spain from invasion, and saved the honour of England.

Colonel Lindsay said, that the declaration which Mr. Canning had made, that, if the Portuguese constitution were attacked, he could let loose all the passions of Europe in support of it, had caused it to be viewed with great jealousy by foreign powers. He condemned the sending of our troops to Portugal; which had placed the peace of the country in a very precarious situation. All the despotic governments of Europe looked upon us with fear and distrust, in consequence of that measure. He wished the right hon. gentleman would inform him whether our troops were kept in Portugal to repel foreign invasion or to support the present constitution. That constitution was unpopular among all classes of Portuguese, and ought not to be thrust down their throats by British bayonets.

Sir James Mackintosh said, he did not altogether feel himself called upon to address the House, after so long a silence, by what had fallen from the gentleman opposite. He was, however, desirous of taking an opportunity, which he regretted he had not had on a former occasion, of declaring his opinion to the House, or to such at least as thought his opinions worthy of attention. He considered the prompt and vigorous succour given to our old ally Portugal, at the moment of
her extreme danger, as fit to be recorded in one of the brightest pages of the history of this country. This prompt and liberal succour was not the merely cold performance of an imperative obligation and inevitable duty. Were this all, he should deem it unworthy of any commendation. God forbid that he should ever be so regardless of the honour of his country, of the reputation of the former, and of the character of the present, ministers, as to suppose that the mere fulfilment of a treaty on our part required commendation! He confined his approbation to the prompt and vigorous measures which had been taken to render the performance of our duty effectual—measures which reflected the highest honour upon the government that had planned and executed them, and which, if they had not been sanctioned by all the individuals who composed the British parliament, had been sanctioned at least by all the parties into which it was divided. With regard to the speech just made by the hon. member for Dorsetshire, he must begin by observing, that the principal part of his argument was historical and retrospective. It was an inquiry into the result of the measures taken by the government in the December of last year, and had no reference to the vote of that night. Indeed, he did not see how the hon. member for Dorsetshire could oppose the present grant, unless he was prepared to show that government ought to retract all the declarations it had already made, and to acknowledge the injustice of every measure it had hitherto approved. The hon. member must have satisfied the committee, that what he had just said had no reference to the present vote; for he had boldly avowed, that if an address were proposed to his majesty, calling on him to withdraw his forces from Portugal, he could not agree to it. In a parliamentary sense, then, the hon. member had no opposition to this vote; in a parliamentary sense he must be considered as giving it the benefit of his assent. With respect to the considerations which the hon. member had offered to the House, on the amount of the vote, and on its distribution, man by man, among the soldiery in Portugal, he was not so good a calculator as to be able to decide off-hand upon its accuracy. It was most unfair and unreasonable, to say that this vote of credit was given to meet the expense of the army. It was not in the contemplation either of government or parliament, that all of it should be expended; it was merely asked, to meet any unforeseen exigency which might suddenly arise. A vote of credit, which armed government with large and extensive power, was calculated to lessen its expenses. By voting a large sum, the House was taking the best means to prevent a larger sum from being expended. Foreign powers might be influenced, by seeing that the British parliament continued their support of these measures with the same liberality which they displayed at the outset. The hon. member had not taken into his arithmetical calculations the expense of the transports which would be wanted to bring our forces back from Portugal. He believed it would amount to a large sum; and though it might not swallow up all the vote now asked for, it would swallow up a large proportion of it. Another hon. gentleman had said, that, in a moment of intoxication, the House had voted succours to our ally in performance of the obligations of treaties. He confessed that he deeply partook of the intoxication, if intoxication it were, which the hon. member so loudly condemned: and was afraid that he was now, after the lapse of several months, still in the same unfortunate state. He rejoiced greatly when he contemplated the skill with which that measure of assistance had been devised, and the promptitude and vigour with which it had been executed. He should have been ashamed of his country—he should have considered it overwhelmed with unprecedented disgrace, if it had hesitated for one moment in taking that part which the hon. member contended it had taken in a moment of intoxication. He would not stoop to argue the question, whether our troops had been sent to Portugal to support the constitution. That question had been long since anticipated and answered; and a reply to it at present was quite superfluous. It had been stated by his right hon. friend, in the most precise terms the English language could afford, that the troops now remained in Portugal to secure the very object they had been sent to accomplish. Now, the House had been informed, not once or twice, but repeatedly, that the British forces were sent to Portugal with express injunctions to repel foreign invasion from it, and not to interfere in its internal affairs. They were sent to Portugal for that purpose. His right hon. friend declared, that they stayed there for that purpose; and
what further answer could the hon. member
seek to obtain from the chancellor of the
Exchequer? The hon. member for Dorset-
shire must excuse him for expressing his
surprise at the simplicity with which
he had asked whether any Spanish soldier
had been sent across the Portuguese fron-
tier. He admitted it: but was not the
assembling of a large Spanish army on the
frontier, at a time when rebellion, excited
by the intrigues and gold of a Spanish
party, was desolating the interior of Por-
tugal, a proceeding of a most alarming
nature? Did not the hon. member know,
that the assembling of an army by one
power on the frontier of another was always
considered just ground of demanding
explanation in the first instance; and, if
explanation were refused, of taking further
measures to enforce it? He should like to
hear any prudent statesman deny, that the
assembling of a great military force on the
frontier of a power whose deserters it sup-
ported, and even provided with munitions
of war, was not a menace to that power,
seriously affecting its internal security, and
giving it the right, if it chose to exercise
it, of appealing at once to arms. If no
man could deny the principle of national
jurisprudence which he had just laid down,
it settled the question of our duty to our
ally. The duty of England rested on the
right of Portugal. If Portugal had a right
to demand explanation from Spain, on
account of the military force which the
latter government had assembled on its
frontier, and if the refusal of all satisfac-
tory explanation by Spain were a sufficient
justification of Portugal going to war—
which no man would deny that it was—
then was England bound in duty to afford
the same assistance to Portugal as if she
had been openly and directly attacked.
The duty of the ally to give assistance
rested, he maintained, on the right of the
principal to go to war. It had been said,
however, by the other side, that in case
our troops continued in Portugal, they
must, if we adhered to our doctrine of not
interfering in the internal arrangements of
independent states, confine their hostility
to Spaniards alone. Now, from this doc-
trine, he must beg leave, under certain
limitations, to dissent. Supposing Spain
were to invade Portugal, partly with
Spanish soldiers, and partly with Por-
tuguese deserters, whom she had taken into
her pay, would any man contend, that our
canons and our bayonets should make
any distinction between the real Spanish
soldier and the rebellious Portuguese,
whom he had taken into his pay? No:
the rebellious Portuguese must be con-
sidered as the allies of the foreign invaders;
and as such our troops must treat them.
He admitted of no interference between the
two contending parties in Portugal. If no
menace had been made by a foreign power
against the existing government of Por-
tugal, we should not merely have had no
duty to meddle in the struggle—we should
also have had no right. As soon, however,
as a foreign partisan appeared on the stage,
and dealt in menaces which endangered
the security of the existing government, we
were compelled by the obligation of trea-
ties, to become the domestic partisan of
that government against all foreign in-
vaders, no matter how they were supported
by its discontented subjects. If it had not
been for the very extraordinary doctrines
which had been held on this subject, he
should have been very brief on this part of
the question; but, as it was, he should
beg leave to illustrate it a little more at
length. If a foreign army were to land in
England as auxiliaries to a party in rebel-
lion against the government, the govern-
ment would immediately obtain the right
of calling upon all its foreign allies to bring
their forces to its aid. He did not allude
to Holland merely, which was bound to
support the Protestant succession to the
throne of these races whenever it was
derANGED, but to all our foreign allies,
who would be bound, in such a case, to
send over their contingents, not merely to
attack the foreign invader, but also his
domestic partisans. Thus it would be with
our own forces in Portugal. The invader,
with all his auxiers and abettors, would be
the legitimate object of the hostility which
we were bound to wage there for the benefit
of our ally.—He had already answered the
question which the hon. gentleman oppo-
site had put, as to whether our troops were
in Portugal to support the constitution, by
reference to the declarations of his right
hon. friend both in December last and
upon the present evening. He would now
carry his reply a little further. He would
point out a circumstance which had oc-
curred in 1823, and which proved de-
natively, that it was not in support of the
constitution of Portugal, but of Portugal
itself, that we now gave to the government
of that country our assistance. He would
beg honourable members to recollect what
the condition of parliament was at that particular time. Many gentlemen would recollect, that among the papers which were laid on the table of the House in that year, relative to the negotiations to prevent the aggression on Spain, there was a letter of Mr. Canning to sir C. Stuart, in which he desired him to inform the French government explicitly, that any act of hostile committed by France upon Portugal would bring England with all her forces immediately into the field. Was it in behalf of the present constitution, that we threatened to interfere? No such thing. Portugal was at that time under a democratic form of government; which, it was well known, the British government by no means approved, and which constituted a subject of regret to all the real lovers of liberty in England, however hostile they were to its amendment by foreign interference; and yet, in favour of that Portugal, then so democratically revolutionised, England declared to France, that any attack upon its territory would bring her with all her forces into the field. Could there be a more conclusive demonstration, that we were not now in arms to support the constitution of Portugal, but only the right of Portugal to give itself a free constitution, uncontrolled by the interference of foreign powers? He would ask any gentleman, whether, because we were bound to support the government of Portugal, we were therefore bound to approve of its constitution. He himself should be afraid to pass any judgment upon it, for he knew very little about it. The gallant member, who had addressed the House for the first time that evening with so much promise, would discover, before he became so old a member of the House as he (Mr. W.) was, that it was a difficult matter to learn what was the real opinion of a foreign people—what was their real condition—and how far they were, or were not, fit for liberal institutions. These were often difficult questions, God knew, with respect to our own countrymen; but were so much more difficult with regard to the people of foreign countries, that a wise man would be reluctant to answer them.—There was, however, another point in the speech of the gallant member that surprised him exceedingly. The main objection which he urged against the conduct of the present administration with respect to Portugal was, that in maintaining the faith of treaties with our ancient ally, we were offending those great powers of Europe who exercised despotic sway over their respective countries. If this were true—if this great nation, so long renowned for its good faith, and strict observance of treaties, dared no longer perform the sacred obligations which its treaties imposed upon it, lest it should thereby displease the great desposits of Europe—then he must say, that not only Portugal, but England too, was unfit for the enjoyment of liberty. If England had so far lost her ancient pride and spirit, as to be influenced by a bare fear, lest the performance of her duty should cause displeasure to any prince, power, or potentate, whatsoever—if she allowed such an unmanly and lastardly consideration to be present to her mind, when she was consulted on the destinies of nations—she might be sure that the day of her glory had departed; that the sceptre of power was passing from her grasp, and that she herself was "cito perfurata." Whenever that sordid fear should come over her, she will have lost all power to preserve her liberty at home, and to make her independence respected abroad.—He would imitate the example which had been set him by his right hon. friend, and would abstain from entering into any observations which might provoke a discussion on the conduct of the great states of Europe. He valued the existence of peace as much as any man. He would perform the duties of amity to every other power in Europe, as well as he would perform them to Portugal. The duties of courtesy, which were included in those of amity, he would perform to every government, no matter what opinion he entertained either of their form or of their conduct; but he would not be discouraged, by a fear of their resentment, from advising his country to perform that duty, which was required of her by the faith of ancient treaties. He would not, at this time of day, go over the contents of those treaties. Every body must know what they were—and he would venture to affirm, that if there was any one proposition in the law of nations more demonstrative than another, it was the obligation of Great Britain to give her support to her ancient ally Portugal, when she was required to do so in December last. The law of the case was clear; the facts of the case were clear; and the application of the law to the facts was, he might almost say, self-evident. He was therefore na-
tonished—nay, he was more than astonished—he was pained—at hearing the doctrines which were propounded on this subject, when the House appeared to be representing the general feeling of the country, by his hon. friend, the member for Aberdeen, for whose extremely useful and most honest labours in behalf of the public, he should ever entertain a grateful esteem. His hon. friend had called on the House to deliberate carefully and cautiously, before it proceeded to the arduous and complicated question, whether it should violate the ancient good faith of the country or not. He had never heard that his hon. friend had attempted to show that the obligation of treaties did not bind us to assist Portugal; on the contrary, he believed that his hon. friend jumped at once to this conclusion—that if we did assist Portugal, we should be guilty of a wanton interference in the internal affairs of another country. He did not know whether he ought to admire the boldness with which his hon. friend overlooked, all the obstacles which stood between him and his conclusion. He rather thought that he ought to applaud his discretion; because it would require greater talents than even his hon. friend possessed, to produce any effect upon the House, whilst he attempted to show either that we were not bound by the faith of treaties to assist Portugal, or that if we were bound, we ought to seek the means of evading them.—In justifying the measures which the present administration had taken upon this subject, so much to their honour, he did not mean to justify them, on the ground that the force we sent out was sent out to maintain either liberal or any other kind of institutions. He would ask no more, under these treaties, than if they had been entered into with the emperor of Morocco: he would demand no more under them, than if they had been entered into with a power which was endeavouring to destroy a free government, instead of one that was aiming at the establishment of a liberal system. If he were asked, why he rejoiced in the interposition of the country, he would frankly avow that he did so, because that interposition must have the effect of checking a system by which it was attempted to prevent the establishment of free institutions in Europe. The only plausible topic urged against this proceeding was one that would hardly be used on any other occasion; and which, he conceived, was advanced with a peculiar ill grace on this. What was that topic? Why, that England was interfering to give liberty to a country, that was not prepared to receive it, and that did not require it. But the fact was, that this attempt to introduce a liberal system was the work of the king and people of Portugal, and our interference was called for by the government of Portugal, under the faith of treaties. The effect of such an argument as that which he had quoted was, that they were scrupulously to observe the stipulations of all treaties that required the most odious and revolting interference—an interference that might lead, in its operation, to the most unfortunate consequences; and the only treaties, with respect to which some few gentlemen were willing to relax this strict principle, appeared to be those under which the interference of England might be called for, to prevent an ally from being over-ruled by a hostile power, when that ally was making an attempt to give to his country a just and free government. Was such a doctrine as this agreeable to the ears of the committee? Was it in unison with the generous feelings of this country? He approved in the highest degree of the step which the government had taken in sending troops to Portugal to prevent the aggression of Spain. If those troops were suffered to remain there one moment after the object of their mission was accomplished, ministers would be guilty of a flagrant wrong; and if they were recalled one moment sooner than that object was effected, they would be guilty of gross perfidy. Such an act might leave Portugal in a far worse situation than that in which they found it. The presence of the British troops might have incited thousands of individuals to exert themselves to save their country from a despotism; and, if the protecting force were prematurely withdrawn, those persons would be left at the mercy of their most implacable enemies. He trusted, therefore, that the feelings of a generous, manly, and honourable fidelity, which had produced these measures, would never suffer ministers to listen to the plea of retrenchment, or of the propriety of non-interference with the affairs of another nation, or to any other doctrine, however plausibly it might be advanced, for the purpose of inducing
tolerable; but Englishmen should not depend for their prosperity or comfort, on the personal feeling of any governor.

Ordered to lie on the table.

King's Message respecting Portugal.] The House having resolved itself into a committee of Supply,

Mr. Canning rose. He said, that on a former evening, when he had brought forward his statement of the financial condition of the country, he had informed the committee that he should have to ask it for an additional vote of credit of 500,000L., for the purpose of meeting the contingent expenses of the further continuance of his majesty's forces in Portugal. The grounds on which those forces were sent to Portugal had been so fully explained to the House, and so nearly unanimously approved by it, that he held it unnecessary to refer to them; and he had little further to say at present, than that the same causes which induced his majesty to determine on sending that expedition, though diminished in their operation, still existed in sufficient force to render the continuance of our army in Portugal necessary. On the first occasion, when he mentioned this subject, he had taken the liberty of stating, that it was impossible for him to explain the full extent of the grounds on which his majesty's determination was founded, without entering into an hostile explanation of the conduct of Spain, which it was undesirable to give whilst there were any hopes of adjustment existing. If, in the hope of adjustment at a time when irritation prevailed, and menace was employed, it was prudent to abstain from irritating discussion, much more prudent was such a course now, when the most sanguine expectations were entertained, that all the causes which we had for distrust were coming to a speedy termination. The mere fact of sending our troops to Portugal had met, repelled, and anticipated the danger of ruin which threatened that country. That danger had been repelled—not by any active exertions—but by the mere presence of the British forces on the soil of Portugal. He would not pretend to deny that there had been differences and variations of counsels, on the part of the Spanish government, which had threatened the renewal of the same dangers; but he was now happy to state, that the tendency of the king of Spain's counsels was less dangerous, and that the country might look forward to a speedy adjustment of differences between the two nations, and to a removal of the causes of them. He abstained from saying more upon that expectation, as he was not able to say when it might be realized. It would be obvious to every gentleman, that a state of things which might not justify them in sending an army to Portugal, might justify them in not withdrawing it when it was there; and that it might be prudent to keep it there, not only till the danger was repressed, but till the probability of its recurrence was prevented. He had no hesitation in informing the House, that the prolongation of the stay of the British troops in Portugal rested upon the very same grounds as those on which they were sent there, and not upon any new causes, intentional, or dispositions whatever. He should conclude with moving, "That 500,000L. be granted to his Majesty, to enable him to provide for any additional expense which may arise on account of his Majesty's Forces in Portugal."

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Colonel Lindsay said, that the declaration which Mr. Canning had made, that, if the Portuguese constitution were attacked, he could let loose all the passions of Europe in support of it, had caused it to be viewed with great jealousy by foreign powers. He condemned the sending of our troops to Portugal; which had placed the peace of the country in a very precarious situation. All the despotic governments of Europe looked upon us with fear and distrust, in consequence of that measure. He wished the right hon. gentleman would inform him whether our troops were kept in Portugal to repel foreign invasion or to support the present constitution. That constitution was unpopular among all classes of Portuguese, and ought not to be thrust down their throats by British bayonets.

Sir James Mackintosh said, he did not altogether feel himself called upon to address the House, after so long a silence, by what had fallen from the gentleman opposite. He was, however, desirous of taking an opportunity, which he regretted he had not had on a former occasion, of declaring his opinion to the House, or to such at least as thought his opinions worthy of attention. He considered the prompt and vigorous succour given to our old ally Portugal, at the moment of
her extreme danger, as fit to be recorded in one of the brightest pages of the history of this country. This prompt and liberal succour was not the merely cold performance of an imperative obligation and inevitable duty. Were this all, he should deem it unworthy of any commendation. God forbid that he should ever be so regardless of the honour of his country, of the reputation of the former, and of the character of the present, ministers, as to suppose that the mere fulfilment of a treaty on our part required commendation! He confined his approbation to the prompt and vigorous measures which had been taken to render the performance of our duty effective—measures which reflected the highest honour upon the government that had planned and executed them, and which, if they had not been sanctioned by all the individuals who composed the British parliament, had been sanctioned at least by all the parties into which it was divided. With regard to the speech just made by the hon. member for Dorsetshire, he must begin by observing, that the principal part of his argument was historical and retrospective. It was an inquiry into the result of the measures taken by the government in the December of last year, and had no reference to the vote of that night. Indeed, he did not see how the hon. member for Dorsetshire could oppose the present grant, unless he was prepared to show that government ought to retract all the declarations it had already made, and to acknowledge the injustice of every measure it had hitherto approved. The hon. member must have satisfied the committee, that what he had just said had no reference to the present vote; for he had boldly avowed, that if an address were proposed to his majesty, calling on him to withdraw his forces from Portugal, he could not agree to it. In a parliamentary sense, then, the hon. member had no opposition to this vote; in a parliamentary sense he must be considered as giving it the benefit of his assent. With respect to the considerations which the hon. member had offered to the House, on the amount of the vote, and on its distribution, man by man, among the soldiers in Portugal, he was not so good a calculator as to be able to decide off-hand upon its accuracy. It was most unfair and unreasonable, to say that this vote of credit was given to meet the expense of the army. It was not in the contemplation either of government or parliament, that all of it should be expend- ed; it was merely asked, to meet any unforeseen exigency which might suddenly arise. A vote of credit, which armed government with large and extensive power, was calculated to lessen its expenses. By voting a large sum, the House was taking the best means to prevent a larger sum from being expended. Foreign powers might be influenced, by seeing that the British parliament continued their support of these measures with the same liberality which they displayed at the outset. The hon. member had not taken into his arithmetical calculations the expense of the transports which would be wanted to bring our forces back from Portugal. He believed it would amount to a large sum; and though it might not swallow up all the vote now asked for, it would swallow up a large proportion of it. Another hon. gentleman had said, that, in a moment of intoxication, the House had voted succours to our ally in performance of the obligations of treaties. He confessed that he deeply partook of the intoxication, if intoxication it were, which the hon. member so loudly condemned: and was afraid that he was now, after the lapse of several months, still under the same enthusiasm. He rejoiced greatly when he contemplated the skill with which that measure of assistance had been devised, and the promptitude and vigour with which it had been executed. He should have been ashamed of his country—he should have considered it overwhelmed with unprecedented disgrace, if it had hesitated for one moment in taking that part which the hon. member contended it had taken in a moment of intoxication. He would not stoop to argue the question, whether our troops had been sent to Portugal to support the constitution. That question had been long since anticipated and answered; and a reply to it at present was quite superfluous. It had been stated by his right hon. friend, in the most precise terms the English language could afford, that the troops now remained in Portugal to secure the very object they had been sent to accomplish. Now, the House had been informed, not once or twice, but repeatedly, that the British forces were sent to Portugal with express injunctions to repel foreign invasion from it, and not to interfere in its internal affairs. They were sent to Portugal for that purpose. His right hon. friend declared, that they stayed there for that purpose; and
what further answer could the hon. member seek to obtain from the chancellor of the Exchequer? The hon. member for Dorsetshire must excuse him for expressing his surprise at the simplicity with which he had asked whether any Spanish soldier had been sent across the Portuguese frontier. He admitted it: but was not the assembling of a large Spanish army on the frontier, at a time when rebellion, excited by the intrigues and gold of a Spanish party, was desolating the interior of Portugal, a proceeding of a most alarming nature? Did not the hon. member know, that the assembling of an army by one power on the frontier of another was always considered just ground of demanding explanation, if the first instance; and, if the explanation were refused, of taking further measures to enforce it? He should like to hear any prudent statesman deny, that the assembling of a great military force on the frontier of a power whose deserters it supported, and even provided with munitions of war, was not a menace to that power, seriously affecting its internal security, and giving it the right, if it chose to exercise it, of appealing at once to arms. If no man could deny the principle of national jurisprudence which he had just laid down, it settled the question of our duty to our ally. The duty of England rested on the right of Portugal. If Portugal had a right to demand explanation from Spain, on account of the military force which the latter government had assembled on its frontier and if the refusal of all satisfactory explanation by Spain were a sufficient justification of Portugal going to war—which no man would deny that it was—then was England bound in duty to afford the same assistance to Portugal as if she had been openly and directly attacked. The duty of the ally to give assistance rested, he maintained, on the right of the principal to go to war. It had been said, however, by the other side, that in case our troops continued in Portugal, they must, if we adhered to our doctrine of not interfering in the internal arrangements of independent states, confine their hostility to Spaniards alone. Now, from this doctrine, he must beg leave, under certain limitations, to dissent. Supposing Spain were to invade Portugal, partly with Spanish soldiers, and partly with Portuguese deserters, whom she had taken into her pay, would any man contend, that our canons and our bayonets should make any distinction between the real Spanish soldier and the rebellious Portuguese, whom he had taken into his pay? No: the rebellious Portuguese must be considered as the allies of the foreign invaders; and as such our troops must treat them. He admitted of no interference between the two contending parties in Portugal. If no menace had been made by a foreign power against the existing government of Portugal, we should not merely have had no duty to meddle in the struggle—we should also have had no right. As soon, however, as a foreign partisan appeared on the stage, and dealt in menaces which endangered the security of the existing government, we were compelled by the obligation of treaties, to become the domestic partisan of that government against all foreign invaders, no matter how they were supported by its discontented subjects. If it had not been for the very extraordinary doctrines which had been held on this subject, he should have been very brief on this part of the question; but, as it was, he should beg leave to illustrate it a little more at length. If a foreign army were to land in England as auxiliaries to a party in rebellion against the government, the government would immediately obtain the right of calling upon all its foreign allies to bring their forces to its aid. He did not allude to Holland merely, which was bound to support the Protestant succession to the throne of these realms, whenever it was endangered, but to all our foreign allies, who would be bound, in such a case, to send over their contingents, not merely to attack the foreign invader, but also his domestic partisans. Thus it would be with our own forces in Portugal. The invader, with all his aids and abettors, would be the legitimate object of the hostility which we were bound to wage there for the benefit of our ally.—He had already answered the question which the hon. gentleman opposite had put, as to whether our troops were in Portugal to support the constitution, by reference to the declarations of his right hon. friend both in December last and upon the present evening. He would now carry his reply a little further. He would point out a circumstance which had occurred in 1833, and which proved decisively, that it was not in support of the constitution of Portugal, but of Portugal itself, that we now gave to the government of that country our assistance. He would beg honourable members to recollect what
the preservation of peace, during the continuance of an election; and he therefore felt bound to give his cordial support to the bill.

Lord Romilly thought the bill an invasion of the rights of corporations, and expressed his determination to oppose it.

Sir C. Wetherell observed, that, until the Nottingham case occurred, there was no instance of the interference of the House, in the way in which it was now proposed that it should interfere. In the Nottingham case, Mr. Fox opposed that measure, in a speech of great eloquence, and contended, that that House ought not to interfere where a remedy was provided, by the ordinary process of law in the tribunals of the country. There was no analogy between the Nottingham case and the present. Whoever was of that opinion would find himself greatly mistaken. In short, it would be absurd to adopt the Nottingham case, as a ground of proceeding in the present. His opposition to the bill was an independent and conscientious one. He opposed it, uninfluenced by a knowledge of either the winning or losing candidates, or any local circumstance whatever. The House ought rather to exercise a conservative power, for the preservation of charters, than lend itself to the uncalled-for combination of them.

Mr. S. Rice contended that the bill would, by no means, have the effect of disfranchisement. The case made out against Coventry was much stronger than that of Nottingham; and even if such a measure was not adopted in the case of Nottingham, it ought to be adopted in the present. For the last fifty years, there had not been an election at Coventry at which riots had not taken place.

Mr. Ouburn argued against the principle of the bill, which, he contended, was destructive of chartered rights.

Sir J. Wrottesley warmly defended the bill.

The committee then divided: Ayes 51; Noes 39.

HOUSE OF LORDS.
Monday, June 11.

Supply of Water to the Metropolis—Grand Junction Company.] Lord Wharncliffe presented a petition from the Grand Junction Water Works Company, praying for inquiry. His lordship stated, that he had formerly presented a petition, complaining of the supply of water to the western parts of the metropolis, which petition was principally directed against the company which now came to their lordships also asking for inquiry. The petition was read and laid on the table. His lordship then stated, that in consequence of these petitions, he would move, that an humble Address be presented to his majesty, praying his majesty to order a commission to be issued to inquire into the supply of water to the metropolis. For a considerable time past, the inhabitants of the west end of the town had made complaints of the impure quality of the water, and of the high rate they were made to pay for the supply. At a public meeting, at which a petition to both Houses of Parliament had been agreed to, samples of the water had been exhibited; and, if the general supply were like the samples, it must be very impure. The subject was of great importance to all the inhabitants of London. He would not say that the Grand Junction Canal Company had misconducted themselves, but the complaints made of the unwholesomeness of the water they supplied, and the extravagance of their terms, rendered it necessary to make some inquiry. One source of the strong feeling manifested against the company was, their having undertaken to bring water from the Grand Junction Canal, which they had found inadequate, and then they had had recourse to the Thames. They had there built what was called a Dolphin, near Chelsea, from whence they had taken the water, and pumping it up to Paddington, had distributed it through the town. Now, it was said, that the Dolphin was so close to the great Ranelagh common sewer, that it could not be otherwise than contaminated. Whether any objection could be made against the water of the Thames itself, as being unfit for domestic purposes, he did not say. For many years London had been supplied with Thames water; the London water-works, and the Chelsea water-works, both, he believed, took their supply from the river, but it should be remembered, that the river was formerly not so impure as at present. There were now, he believed, not less than ninety common sewers discharging their contents into the Thames, between Battersea-bridge and the Tower. It would naturally seem that, with this sort of discharge running into it, the Thames water could not be very fit for
use. On a question of this vital importance, he thought it the duty of government to institute an inquiry, and ascertain whether the complaints had any foundation or not; and if they were well founded, he thought government ought to take steps to remove them. He had at first thought the inquiry ought to be a parliamentary one; but considering the nature of the subject, and that the investigation must be, in a great measure, scientific, he had been induced to change his opinion; and he should move an humble Address to his majesty to appoint a commission.

Earl Grosvenor supported the motion, as equally necessary for the reputation of the Grand Junction Company as the good of the inhabitants. The company, he understood, had found it impracticable to purify the canal water, which had induced them to have recourse to the Thames. By employing several reservoirs, which they were then constructing, they expected to purify the Thames water, so as to make it fit for all domestic purposes.

The Earl of Lauderdale completely concurred with the noble mover in all his observations. He had no doubt that a commission would, in the first instance, be the best method of inquiring; but he would not say, when the Report of the commission was laid before them, that their lordships ought not then to institute an inquiry. When the Water Companies had come to parliament to ask for their exclusive privileges, they had all asked them on the ground of competition being beneficial to the inhabitants; but they had scarcely got their charters, when they entered into an agreement to divide the metropolis into districts, and allotted one to each company. This proceeding his lordship characterised as a gross fraud on parliament and the public. Since this arrangement had been made, the charge for the supply of water had been increased fourfold, and the supply had become a great deal worse.

The motion was agreed to.

HOUSE OF COMMONS.
Monday, June 11.

SUPPLY OF WATER TO THE METROPOLIS—GRAND JUNCTION COMPANY.}

Mr. Whitmore presented a Petition from the Grand Junction Waterworks Company, setting forth, "That the Petitioners were incorporated by an Act of the 51st of George 3rd, and authorised to exercise certain powers for supplying the parish of Paddington, and the parishes and streets adjacent, with Water, from and out of the Grand Junction Canal, and subsequently by the Acts of the 59th of George 3rd, and the 7th of George 4th, were recognized and confirmed a corporate body for ever, for supplying Water from the river Thames; that the Petitioners have observed that a Petition has been presented to the House, complaining that the several Water Companies by whom London is supplied, and especially the Petitioners, have abused the powers entrusted to them by the Legislature, and praying for inquiry and redress; that the Petitioners have not the smallest wish to avert or impede such inquiry; on the contrary, it is their ardent desire that it should be immediate and complete; that the Petitioners are prepared with the amplest proof of the utter groundlessness of the grave charges contained in the said Petition; that, with regard to the competition referred to in the said Petition, it may be sufficient for the Petitioners to state, that it was fully proved before a Committee of the House in 1831, that the competition which had existed between the Companies was alike disastrous to the competing parties and inexpedient for the public, and that the arrangement alluded to in the said Petition had the full sanction of that Committee; that the Petitioners are prepared with proof that the assertion of the Water supplied by the Petitioners being unwholesome is utterly without foundation; and that the opinions of the professional men alluded to in the said Petition are crude, hasty, and inaccurate; formed without the requisite care as to the mode in which the specimens pronounced upon were taken, and, as the Petitioners believe, in almost all, if not in every instance, without analysis; whilst properties and qualities are, by those opinions, ascribed to the water which nothing but a careful and scientific analysis could detect; that the Petitioners are ready to prove by analysis, performed by experienced and scientific chemists, that the Water supplied by the Company is unexceptionably good; that changing the source of the supply from the Grand Junction Canal to the Thames, so far from being a breach of faith, for which the Petitioners deserve censure, was an arrangement not only sanctioned by the
legislature, but highly beneficial to the public: the quality of the Water of the Canal had not, on trial, proved equal to the expectations which had been formed of it, conclusive proof whereof may be found in the fact of the Water, both of the Brent and of the Ruislip Reservoir being diverted at great expense from entering that branch of the Canal which supplied the Water to the works of the Petitioners; that the Petitioners, far from being actuated by the sordid feeling of obtaining the greatest return with the least outlay, and with a disregard to the health and convenience of the Public, have recently expended, and are expending, 50,000l, from which they will not derive the smallest increase of income, feeling that, whilst they are left undisturbed in the occupation of the district they supply, both their duty to the Public and their own interest, rationally viewed, concur in imposing upon them the necessity of improving their supply to the utmost; and they will venture to assure the House, that their efforts to accomplish this object will never cease whilst one means of improvement shall remain unexhausted; that the Petitioners crave permission humbly to state to the House, that they have now for months been labouring under most unjust aspersions, and that any delay in the investigation of the charges brought against them must prove equally injurious to the Public and to the Petitioners, as, although they have hitherto persevered in carrying their several plans of improvement into effect, under the discouraging circumstances of public disapprobation, and the fear of legislative interference (having actually, within a fortnight, completed a material portion of such improvements, which have been more than two years in progress), they must now abstain from any further prosecution of their plans, until it can be known what measures with regard to them Parliament in its wisdom may adopt; the Petitioners, therefore, humbly pray, That, in whatever mode the inquiry into the conduct of the Petitioners may be made, the House would be pleased to direct that it may be immediate, and prosecuted speedily to a conclusion."

Sir F. Burdett said, he was glad that the petitioners had no objection to the inquiry which he meant to propose. The Petition was ordered to lie on the table; and, in the course of the evening, the hon. baronet moved an Address to His Majesty, "for the appointment of a Commission to inquire into the state of the Supply of Water in the Metropolis;" which was agreed to.

**East Retford Disfranchisement.**

Mr. Western, in rising to move the order of the day for the consideration of the Special Report from the East Retford Election Committee (of which he had been chairman) lamented, that his state of health was such as to prevent him from bringing forward this subject; a duty which he would otherwise have been bound to discharge. It was, however, a satisfaction to him, that it would fall into the hands of his hon. friend, the member for Blechingley, who, having undertaken it in compliance with his wish and that of the committee, would, he was confident, do ample justice to the case. He would not anticipate any thing that his hon. friend might have to say, but content himself by stating, that the Special Report was voted unanimously by the committee, and in his judgment deserved and required the immediate and serious attention of parliament.

The Order of the day being read, Mr. Tennyson said, that he should not do justice to himself if he did not, in the first instance, express his unfeigned and unqualified regret, that a subject of so much importance would not have the full benefit of the talents and experience of his hon. friend, the member for the county of Essex, on whom, as chairman of the East Retford Election Committee, it would naturally have devolved. He regretted it still more, on account of the cause assigned by his hon. friend; namely, the condition of his personal health, which must always deeply interest those who had enjoyed any opportunity of appreciating his public or private worth. Circumstances, rather than any imagined qualifications of his own for the task, had cast it upon him. He should have declined it, under the apprehension that he could not do it justice, if he had not been assured of the kind assistance of his hon. friend, and of the support of the committee. For the aid and co-operation he had received from them he was grateful; but still he must entreat the indulgence of the House for the imperfect manner, in which he should lay before it those grounds, which induced the committee to arrive at an unanimous con-
clusion upon the subject now under consideration.

The candidates at the last election for East Retford were sir Robert Lawrie Dundas, a knight of the Bath, and an officer distinguished in his majesty's military service; William Battie Wrightson, esq., a gentleman of high and honourable character in the county of York, and sir Henry Wright Wilson, well known as a respectable member of the last parliament. Sir Robert Dundas and Mr. Wrightson were returned. A petition was presented against that return, and the committee to whom it was referred, decided, that the election was void, and made a special report to the House, which he would now beg leave to read. After having resolved that sir Robert Dundas and Mr. Wrightson had, by their agents, been guilty of treating at the last election for East Retford, the Report proceeded as follows:

"The Committee consider it their duty to direct the serious attention of the House to the corrupt state of the Borough of East Retford. It appears to the committee from the evidence of several witnesses, that at elections of burgesses to serve in parliament for this borough, it has been a notorious, long-continued, and general practice, for the electors who voted for the successful candidates to receive the sum of twenty guineas from each of them; so that those burgesses who voted for both the members returned have customarily received forty guineas for such exercise of their elective franchise. It further appears to the committee that an expectation prevailed in the borough, that this custom would be acted upon at the last election, although they have no sufficient proof that such expectation was encouraged by the candidates then returned."

It would now be his duty to state to the House, as briefly as possible, the substance of so much of the evidence as would justify the special report which he had just read; but he was anxious, before he proceeded further, to express his hope, that in any of the observations he might feel it his duty to make, he might not be considered as casting personal reflection upon sir Robert Dundas and Mr. Wrightson for both of whom he entertained the highest respect.

The special Report commenced by stating, in general terms, the corrupt condition of the borough. That corruption had two principal features; one, the most extensive treating, and the other, a species of bribery, not peculiar indeed to East Retford, but which seemed to have become more completely established there, as a rooted and inveterate habit, than in any other borough, and to have reached in pecuniary amount, and with regard to the openness of the practice, an extent and audacity unparalleled elsewhere. With respect to the treating, he should not dwell upon it at any length; yet he should scarcely do his duty to the House, if he did not state, that it clearly appeared from the evidence, that during some months prior to the election, several public houses in the interest of sir Robert Dundas and Mr. Wrightson, had been open to the voters up to and beyond the period of the return. The law only deemed the treating which took place between the tease of the writ and the return, that which would vacate the seat of a member who had resorted to it; but, there was obviously, little difference in effect, between treating prior and treating subsequent to the tease of the writ, and no difference whatever with regard to the moral condition of voters who required to have their intellects thus stimulated, in order to fit them for the due exercise of their elective franchise. He might refer the House, for evidence of the extent to which this treating was carried, to the minutes generally; but more particularly to pages 61, 62, and 63, and pp. 133, 134, where, on the evidence of Jonathan Marr and William Jackson, it appeared in substance, "that the agent's House, and several public Houses in Retford were open for the party ultimately successful for some months prior to the election, and until two or three days after it. When the opposite party was gaining ground, there was no limit whatever to the liquor distributed. The freemen frequently met at these Houses at six in the morning; and, if the doors and windows were not open, they would rattle at the shutters to gain admission. Sometimes the liquor was stopped at ten or eleven at night: sometimes it went on till morning. The numbers frequently assembled at one of these Houses, were from thirty to forty, and sometimes even as many as sixty would be seen together."—This treating was at the expense of the candidates eventually returned; and it was upon proof of this, that the committee pronounced the election to be void. The House would observe, that the minutes only stated the treating on the part of the
replied, "Yes; they sometimes used to tip me a letter, and put it into my window with 20l. and so on; and that it was "all right," the same as Mr. Kirke and Mr. Foljambe (friends of the successful candidates) had told him it would be this time, if he would vote for Mr. Wrightson; that at those former elections he received two sums of 20l. that is 20l. from each candidate." He was asked, whether other voters were as fortunate as himself? His reply was, "If they win, they expect it, the same as a labouring man that goes to his day's work. It had been the practice ever since he was twenty years of age."

Thomas Giles, a shoe-maker, pp. 74, 78, stated, "That the inducement held out to him, and, in his presence, to George Palfreyman, another voter, by Thornton, the agent for Mr. Wrightson, was, that if they would vote for him (Mr. W.) they would be sure of their money; but as to sir Henry Wilson, he was a mean man, and if they voted for him, they would get nothing." On being asked the sum he was to have, he replied, "In fore times they used to have forty guineas." George Palfreyman, shoemaker, p. 85, confirmed the last witness; for he deposed that "Thornton said to him, he (P) was on the wrong side; that sir H. Wilson was a very mean man; that he would never get any thing for his vote; that he was sorry he should be led away, this being his first election; that if he promised Mr. Wrightson, he would be sure of his money, and that he (Thornton) would ensure it." When asked why he desired Thornton to book him? he replied, "Because he thought there would be the money for his vote."

Samuel Hindley, another shoemaker, p. 95, stated, that "He received forty guineas after the election of 1818; that Thornton in his presence canvassed the witness's journeymen in these terms: 'He asked them for their votes, and said he would assure them of their forty guineas; but that sir Henry Wilson was a shabby old man, and would give them nothing.'" The witness said, "That Thornton repeated this many times."

William Baker, another shoemaker, p. 104, said, "He had been eighteen years a freeman; had never voted, but had been applied to for his vote, at three prior elections; that it was 'all right' at those
MR. William Foljambe the banker at Retford, who was evidently reluctant to speak of this practice, p. 120, said, "He had witnessed four elections, including the last, admitted, that it was reported to be the notorious practice of the place, that the burgesses who voted for the successful candidate, received a sum of money for their votes after the election. That 20l. or twenty guineas, was the sum paid to be paid on those occasions, and twice that sum for a double vote."

Mr. Fox, clerk to Mr. Foljambe, who was also a witness obviously very unwilling to discuss the practice in question, "He had very little doubt such things had been done; he thought there was no doubt." Then he is asked, whether he had ever heard of any election where it was omitted? he replied, "Yes." Q. "When was it?"—"About fifteen or sixteen years ago, I heard there was a member came who never paid anything." Q. "What member was that?"—"Mr. Marsh." He mentions, "Forty guineas as the sum said to be usually paid at Retford upon elections."

Mr. Foljambe, being recalled, said, "He recollected Mr. Marsh being a candidate for Retford. He had heard that he had not paid his election money; that Mr. Marsh had not offered himself again for Retford." And on the witness being asked, "Whether Mr. Marsh would have had any chance if he had so offered himself," he replied, with a smile, "I think not."

William Jackson, a smith, p. 133, said, "He had voted at three elections, including the last, and that at the two former elections he had received forty guineas, which was the understood price at Retford." This witness corroborated the statements of the witnesses Giles, Palfreyman, and Hindley, as to the use made of a reference to this practice by Thornton in his canvas; when witness heard him address the freemen at the Viue public house, he (Thornton) said, "They should all get their money, if they voted again for Dundas and Wrightson; but if they voted for Wilson, they would not get a farthing." From the Evidence in pp. 136, 136, 141, 142, it appeared, that this witness, William Jackson, had received 20l. through his brother, by the contrivance of Thornton, Foljambe, and one William Burton, as an inducement to him to come back to the party of Dundas and Wrightson. In p. 142, he said, "He took this 20l. to be part of the election money;" and in p. 145, he added, that "He expected to receive 22l. more; that he expected forty guineas for his vote, that being a customary thing at Retford, and he having received it before. He expected to receive the 22l. if all the rest were paid, but he did not apply for it, because there was a petition coming up." He added, that the custom was not the same for the unsuccessful candidates also to pay the forty guineas, but only the winning candidates."

Mr. Thomas Bigsby, a respectable solicitor at Retford, and partner with the town clerk, spoke of the practice at first with some reluctance, like Foljambe and Fox. He spoke of it accordingly, by reference to general rumour, but said, "He had no doubt of it. Now and then a candidate escaped. Mr. Osbaldeston in part" (which the hon. gentleman said he would afterwards explain), "and Mr. Marsh altogether. The reputation was, and he presumed, that at quiet elections the voters received bribes of that kind, and he had heard of no distinction between quiet elections and others in that respect. That he should think very nearly all the electors availed themselves of the custom, and that forty guineas was the sum he had heard of, as that received by the voters."

The only remaining witness necessary to refer to was William Brown, who, p. 174, stated, that "One John Taylor applied to him for his vote, a few days prior to the election, and said, that the witness would get nothing from sir H. Wilson, so he had better come over to
their party and have the regular thing, which was forty guineas."

Francis White, p. 181, and some other witnesses, spoke to the same effect, but the hon. member thought it would be an unnecessary waste of the time of the House, to make any further quotations from the minutes. In his conception, there was amply sufficient to justify the House in any proceeding it might think fit to take. Upon the evidence he had stated, there could not remain the shadow of a doubt, that the practice referred to in the special Report had long existed at Retford, and that the great majority of the burgesses were corrupted by it. After much diligent inquiry he had only discovered five burgesses who had not accepted this remuneration for their votes; and they were persons who had moved in a higher sphere than the rest. Although the payment of head-money was not strictly and distinctly bribery, yet it had the same result. If not bribery, in some respects it was much worse; for it operated more steadily and uniformly—with a corrupt and demoralizing general influence upon the whole body of the electors, and not merely upon specific and selected individuals. It operated silently and without any effort, or overt-act, on the part of the candidate; the necessity for which, and the danger thence arising, in ordinary bribery, must obviously limit its extent. The practice clearly offered to the elector an inducement to vote for the strongest party, without regard to the qualifications of the candidate; and it had been so employed in the present instance. A body thus corruptly dealing with their franchises could not be a proper or safe depositary for the constitutional trust reposed in them. Their limited number and inferior condition in life left them still more open to the mischiefs of which he complained. In all there were about two hundred voters, of whom about one half only were inhabitants of Retford; the remainder residing in London and other parts of the kingdom. The resident voters were of the very lowest class in society. There was not amongst them even a single tradesman of the higher order. They were chiefly inferior shoemakers and shoe-menders, and other minor artisans. The body did not comprise an individual who could, with any sort of propriety, be named as proper to exercise the local magistracy. If ever there was a case for admitting the county magistracy to concurrent, or rather exclusive jurisdiction, it was this. The House had seen what had been the consequence of the feeble condition of the borough magistracy at the last election; namely, the most frightful disorders, and the necessity for military protection. That, however, was a text for another branch of the subject, not now to be discussed, because it formed no part of the special Report. The present question was, whether the practice of receiving forty guineas as head-money, was sufficiently proved to justify the House in adopting the course which he should venture to recommend. He thought it sufficient for that purpose, that every witness, whether a voter or not, had admitted it as matter of notoriety; and that every witness who was a voter, when asked the question, stated, that he had himself received the election-money, whenever he had voted, except in the case of Mr. Marsh, who had left them in the lurch, and with some qualification in the instance of Mr. Osbaldeston. This gentleman, he was informed, had paid the voters according to a scale of his own, formed with reference to the degree of promptness with which they had promised him. He held in his hand a paper, upon which this payment had been made on the part of Mr. Osbaldeston; and he there found the voters classed as entire-men, half-men, or quarter-men, accordingly as they were, under that arrangement, to receive twenty guineas, ten guineas, or five guineas, a-piece; or, with a cypher against their names, when they were to receive nothing. The authenticity of this paper he could, if necessary, prove at the bar. He mentioned it now, merely to explain what had been stated as to a partial payment by Mr. Osbaldeston. To the evidence which he had quoted from the printed minutes, he might add the decisive inference afforded by a petition recently presented to the House from several burgesses of Retford [see App. to Votes, No. 1796] deprecating any disturbance of their privileges; in which petition, although they must be, and were obviously, aware of the imputation under which they lay, they did not venture to deny the existence of the practice of receiving head-money, but contended themselves by affirming, "that they never, either directly or indirectly, made any agreement with their candidates, either at the last or former elections, nor had they any promise or offers of reward whatever
from their candidates.” In his judgment the charge set forth in the special Report was sufficiently established. Independently of what had been proved, it was notorious throughout the country, that such a custom prevailed at Retford. He would ask any member, in the least acquainted with the place, whether he was not aware of it? Upon the whole, he thought the case was made out, but if the House should, in this instance, as in that of Penryn, deem it necessary to have further testimony, he had been furnished with a mass of supplementary evidence; he would not say more conclusive than that which he had stated, but which must satisfy the nicest scruples of the most incredulous member in the House. To be prepared with this, he had thought it necessary to send a professional gentleman of talent and experience (not to Retford, for he was advised that to send him there would be to expose his life to danger from the violence of the freemen), but into the neighbourhood of the borough. The result had been, that he was in a condition to prove, in the most distinct manner, the payment of election-money at two, three, four, or five, preceding elections to the voters generally, with the qualification before stated, as to the cases of Mr. Osbaldeston and Mr. Marsh, in 1812. He was anxious to save the time and labour of going into an investigation at the bar; but, if the House desired it, he was provided with a list of persons to be examined there, either before a committee of the whole House to further consider the special Report, or in the committee upon a Bill to be brought in. It could scarcely be expected that he should prove the case so closely as to bring the payment home to each individual voter, but if what he had offered, or might further produce at the bar, did not satisfy the House, any gentleman might fix upon a given number of names from the printed list of the burgesses which lay before him—he might name all the A’s, B’s, and C’s, or all the D’s, E’s, and F’s, or adopt any other fanciful selection—and he (Mr. T.) would undertake to prove, that nineteen twentieths of those so named, who had voted at former elections for winning candidates, (always with some exception as to the election of 1812) had received the head-money of forty guineas, or twenty guineas for a single vote. That appeared to have been the established price for a long period. A person of the name of Oldfield, well known as the author of a work on the Representation of the Country, was employed at Retford by one of the parties, in the election of 1812, which afforded him means of local ascertaining, and gave his account of this borough more authority than his work might be entitled to in other respects. Speaking of the election which took place at Retford, in 1802, he said, “This contest produced as much corruption as ever disgraced the history of an election; the price of votes here has been for the last sixty years (he wrote in 1816), forty guineas a man; but, upon this occasion, one hundred and fifty were given.” He would now state the course which he proposed to pursue. For the present he should content himself with moving a resolution, “That the corrupt state of the Borough of East Retford required the serious attention of the House.” To this motion he thought the House would have no difficulty in acceding, while it would afford him an opportunity of ascertaining what its feeling and opinion might be, with respect to any ulterior proceeding. At the same time, it might be uncandid if he did not declare what he should propose, if left to act upon his own views. He should, if the House adopted the resolution he had stated, ask for leave to bring in a bill to exclude the borough of Retford from representation in parliament, and to enable the town of Birmingham to return two members in lieu thereof. He had selected Birmingham as one of the towns which seemed to stand most in need of parliamentary representation, on account of its wealth, trade, and population. Manchester had been appropriated by a noble lord (J. Russell) who had recently given notice of a motion to provide for the representation of that town; while the claims of Leeds and Sheffield were, in a degree, diminished by the additional representation of Yorkshire. His bill would propose the direct transfer of the franchise from Retford to Birmingham. As Retford was unrepresented, and two members were thus deficient in that portion of the legislature which represented England, it would be improper to adopt the course pursued with regard to Penryn; namely, to limit the proceeding to a simple disfranchisement in the first instance, leaving parliament to agree, if it could, as to a proper substitute—indeed, he thought that course inexpedient in any case, but it would be particularly so in
one like this, where the representation of the deprived borough being vacant, the Crown might possibly assert a right to supply the deficiency, by sending a writ to a new town of its own selection. Accordingly, the bill he should propose would provide for the disfranchisement of Retford and the enfranchisement of Birmingham also suffa. He should propose a town, and not a county; for a county had the advantage of the disfranchisement of Grampound, and the non-representation of several towns of immense commercial importance, was not only considered a grievance, but was, in fact, a practical evil. With respect to the idea of opening the borough to the adjoining hundreds, the ground usually laid for that; namely, that a large proportion of the electors were not corrupt, did not exist in this case. It might be said, that East Retford was a considerable place. According to the last population returns, it contained about two thousand five hundred inhabitants. Including a population adjacent to East Retford, there were in all about four thousand inhabitants. It was, therefore, a very inconsiderable town, in comparison with a great number of others which were not represented in parliament; and, in the present state of the country, certainly, could not be one on which a selection for that privilege would fall. There were, even in Nottinghamshire, eight unrepresented places containing a larger population than East Retford; and, if the franchise were transferred to Birmingham, the county of Warwick would, even then, be still worse provided with representatives, in proportion to its population, than the county of Nottingham would remain. At present, the latter had, in this point of view, double the representation of Warwickshire. If, therefore, all, or the vast majority, of the Retford electors, were in too corrupt a state to be allowed to retain their franchise, it appeared to him, that any other considerable town had as good, or a better, claim than the remaining inhabitants; and certainly better than the freeholders of the adjacent hundreds, who had no pretence whatever, and could not require a double representation. The principal inhabitants of Retford had, indeed, proposed to petition the House to disfranchise the borough; and Mr. Lee, a highly respectable magistrate there, had been engaged in promoting this petition; but the danger to him and others friendly to it, from the violence of the freemen, whose privileges it might compromise, was such that the parties were intimidated, and the petition was abandoned.

He thought that the plan of opening the borough to the hundreds was absurd and anomalous in every case, but in this it would be altogether gratuitous, unless a particular wish existed in any quarter to bestow upon the duke of Newcastle the nomination of two members in that House; for his grace had the prevalent interest and weight in the hundreds adjacent to Retford. Upon the whole, therefore, he trusted the House would think, that, if the electors of Retford were disfranchised, it could not do better than seize such an opportunity for satisfying the anxiety, and necessity for representation, which existed at Birmingham. By taking advantage of such occasions as the House, and thus gradually supplying one of the great and obvious defects which time had created in the constitution, we should give content to large, and sometimes disturbed, masses of the community, who now thirsted for representation, and considered it unjust, as it was indeed, absurd, in a representative government, to be left without a provision for it. These collected bodies of the population would be much less excitable in troublesome times, and much less disposed to devise political theses, or assert political principles for themselves, if their grievances could be stated and discussed by members of their own in that House. Next, we should, in fact, by giving representation to an immensely important mass of trade, and wealth, and commercial intelligence, be doing that which, he was persuaded, would be acceptable to the country at large, except, indeed, to the radical reformers, who would privately lament that their strong ground was moving from under them. Such a course would also be consonant to the ancient practice of the constitution, which formerly tolerated the discontinuance of decayed boroughs, and the enfranchisement of more prosperous towns; a practice which seemed calculated to meet the varying interests and population of the country. The power which the Crown thus possessed, and exercised for centuries, however politically objectionable and dangerous we should now justly deem it, appears, nevertheless, to have been formerly a source of renovation for the
constitution; and, if it were now to be understood, that no such changes should in future take place, even by authority of parliament, that would be, in effect, to inflict upon the constitution a principle of inherent decay and ruin. Happily, parliament never had sanctioned any such principle. Parliaments of Henry 8th and Charles 2nd had added towns and counties to the representation, and even in the last parliament, the franchise had been transferred from Grampound to Yorkshire. We had not yet, indeed, a parliamentary precedent for a transfer from one town to another, but he trusted the case of East Retford would be allowed to furnish a first instance and example. Such a measure would be expedient in itself, harmonize with the ancient practice of the country, add stability to the constitution itself, and give satisfaction to the people at large. The hon. gentleman concluded by moving, as a preliminary resolution, "That the corrupt state of the Borough of East Retford required the serious attention of the House."

Mr. Fergusson thought it was impossible for the House to refuse to go into the inquiry; but with respect to transferring the franchise, his mind was not made up on that point. He had certainly a moral conviction of the guilt of the borough, but he had not that judicial knowledge which would enable him to vote for transferring the franchise to another place.

Alderman Watterson thought the evidence quite sufficient to warrant the disfranchisement of East Retford. The country was greatly indebted to the hon. member for his motion.

Mr. Wyyn thought, not only that a case was made out for inquiry, but that the evidence was sufficient to carry a sentence of disfranchisement, if the electors of East Retford did not clearly disprove it.

Mr. D. Barclay, said, he had opposed the disfranchisement of Penryn, because he thought the proof of corruption had failed, and he would support the present bill, because he thought the evidence was sufficient, if uncontradicted, to justify that measure.

Sir J. Mackintosh concurred, that the evidence given before the committee formed sufficient ground for the introduction of a bill of disfranchisement, unless that evidence should be rebutted.

Lord John Russell agreed that the evidence would be sufficient to pass the bill, if it were not contradicted; but at the same time the House ought to grant the borough the opportunity of contradicting it at the bar of the House.

The motion was agreed to. After which Mr. Tennyson moved for leave to bring in a bill "for excluding the borough of East Retford from electing burgesses to serve in parliament, and to enable the town of Birmingham to return two representatives to parliament in lieu thereof."

Mr. Goulburn said, he would not oppose the bringing in of the bill, but would reserve his opinion as to whether the borough should be disfranchised, until he should have heard evidence at the bar. He would also refrain from giving any opinion as to the place to which the franchise ought to be transferred.

Sir C. Wetherell would not oppose the bringing in of the bill, but was decidedly of opinion, that the House ought not to rest upon the evidence given in the election committee, but that it was incumbent on those who brought it in to prove their case at the bar of the House. Those who originated the measure of disfranchisement ought, in the first place, to make out a case at the bar, and then give leave to the corporation to answer it.

Mr. Fergusson said, that before the bill passed, evidence ought certainly to be given at the bar, in the only way in which the House could receive evidence. But he thought the jurisdiction of the House very lame, while it remained without the power of taking evidence on oath.

Mr. W. Smith complained of that perversion of constitutional doctrine which required the same nicety in establishing the line of evidence, in the case of electioneering corruption and in the case of a criminal accused for a breach of the laws. What comparison could there be between the crime and punishment of an individual offender against the law, and the disfranchisement of a borough on account of corruption and bribery? The offence and punishment of a private man concerned himself; but a public body held its privileges as a trust to be used beneficially for the public; and, in taking them away for abusing them, no injury was done to any one. These electors were entitled to very little sympathy; for, if the respectable part of them found that the election was carried by corrupt practices, they should have petitioned parliament themselves to correct such practices; instead of which,
they had suffered them to prevail for a long course of time, without taking any notice of them.

Mr. Charles Ross said, that if it was an affair of the gravest importance to bestow the right of voting upon a place which had it not before, it could not be of less importance to take it away from one which now possessed it. Even if the case of corruption should be proved, he did not see why the House should depart, in punishing it, from that practice which had always prevailed, except in one case.

Mr. O'Neil objected to this too rapid progress of reform. He thought that these forced marches would prove counter marches. He would oppose the bill in all its stages, as he had done that of Penryn; and for the same reasons he had resisted "the march of intellect" in the Coventry bill.

Sir Charles Forbes was of opinion, that by far the greater number of the members of that House—he believed nine tenths—obtained their seats by money or by money's worth; and that, if they did not pay in meel, they paid in malt. He who paid his money down for his seat was the most independent member, because he was under no obligation, if otherwise independent, to vote contrary to what he conscientiously thought to be the most proper course. He was perfectly free to vote for those measures, which he himself approved, without consulting the wishes or the views of any person or party. Many of those who got their seats in another way, were bound to vote as they were directed by others; as in the case of Treasury boroughs, and others which were held upon much the same tenure. The consequence was, that when they were called upon to vote on some important questions, they found themselves obliged to resign, because they could not screw their courage to the sticking point of voting in direct contradiction to the dictates of their consciences. Many of his friends had been under the necessity of accepting the Chiltern hundreds, from the cause which he had stated. Boroughs which were represented in that manner were by far the worst. He believed that, in the time of Mr. Pitt and Mr. Fox, a proposition had been suggested, that so much of these boroughs should be struck off on the one side, and so much on the other. As to parliamentary reform, he did not understand what was meant by it. If it meant, that no members were to be returned except from the purest and most disinterested motives, he was apprehensive they would have but a thin House, and that many places would remain without representatives. As matters stood at this time, he did not look at how the members obtained their seats. He looked at their conduct both in and out of that House, and thought of them accordingly. In short, he looked at measures, and not at men. He remembered that, the first time he came into parliament, he was called upon to serve on a Helston election committee. In that instance, the clearest case of corruption had been made out. That was a case in which the duke of Leeds had interfered, who was clearly proved to have paid to the corporation of Helston 1,500l. for paving and lighting the streets of that borough; which, of course, was so much saved to the corporation. He was then told, that it was a very serious matter to hold up a nobleman as a person guilty of bribery and corruption; but, if these matters were to be thus narrowly looked into, he maintained that, generally speaking, to catch one rogue in ruffles was of much more consequence than to catch ten in rags.

Yet no serious notice was taken of this business of Helston; and why should not Helston be disfranchised for corruption as well as Penryn or Retford? What was sauce for the goose was sauce for the gander. Ever since that time he had set his face against these partial attempts at reform—this mode of punishing people, not because they were guilty, but because they were found out; or, in other words, because they were not so cunning and hypocritical as others were. Let some general plan of reform be brought forward, and then he would consider it; but he could not approve of these partial proceedings. He would vote against this bill, unless he saw good grounds from the evidence to alter his opinion; but if he should see such grounds, he would at once fairly state that he had altered his opinion.

He fully agreed, that the question ought to be determined by evidence taken at the bar of the House; which he considered quite as much to be relied upon as evidence taken at the bar of the House; whch he considered quite so much to be relied upon as evidence taken on oath before the election committees; for an honest man would tell the truth without any oath, while a rogue was not to be depended on, even when examined on oath.
Lord Palmerston said, he was not at all prepared to sanction the free trade in votes, which the hon. baronet seemed to contend for. He asked, whether anything could more contribute to the views of those who so eagerly contended for theoretical reform, than that the House should be so unwise as to maintain such abuses as this? The evidence before the committee established a prind facie case of gross and general corruption; which not only justified, but required, some proceeding on the part of the House. The case of Penryn was different from this; for there only a small portion of the borough was corrupt; while here the whole borough was corrupt. As for the case of Helston, two bills had been brought into the House on that subject, but had been lost in the other House.

Leave was given to bring in the bill. It was accordingly brought in, and read a first time.

HOUSE OF LORDS.

Tuesday, June 12.

Corn Bill.] On the order of the day for bringing up the report of the committee on this bill,

Lord Colchester said:—Upon the question which comes now immediately before the House, namely, the second reading of these amendments, I wish to state briefly to your lordships, the reasons which will govern my vote, with respect to the bill itself, and with respect also to the course of our proceedings.

With respect to the bill itself, I object to its policy, and also to its leading provisions. I object to its policy, because it tends to impair the political independence of this country, by making it to rely materially upon a supply of its means of subsistence from foreign nations, whose hostility or caprice may, at any unexpected or unavoidable crisis, deprive us of that aid to which we shall have then accustomed ourselves to resort, and compel us to look about in vain for that support which we ought always to be provided with at home. I object to it also, because the direct tendency of this measure is, to depress our domestic agriculture, and, by so doing, to lower the home market, the most valuable of all markets, for the consumption of our manufactures — and this consequence must bring upon us finally two classes of impoverished population, the starving agricultural poor, as well as the starving manufacurers. And, mainly, I object to the present measure, because, by lowering the price of grain in England, it will check the increasing growth of bread-corn in Ireland; which growth is highly valuable, not only as it takes so much English money over to Ireland, but doubly valuable, as an extension of tillage there may narrow the potato-cultivation, and, by enriching the Irish farmer, gradually introduce new comforts; and, by creating corresponding wants amongst an active and intelligent portion of our fellow-subjects, essentially contribute to render them more industrious, more prosperous, and more peaceable.

But, my lords, it is not to the policy alone of this bill that I object;—for I object also to its leading provisions; and principally to its prohibitory duties, and reciprocity enactments. As to the assumed adequacy of the remunerating price to the corn-grower, take your stand where you please, and perhaps I may think the amount assumed for wheat at 62s. per quarter, as somewhat too low; but having drawn your line, do what you please to do, and prevent the admission of all foreign wheat below that mark. Deal plainly with the people of England. If you mean to protect them up to that mark, prohibit the importation of all below it. To say that you give them prohibitory duties for their protection, is giving them that which you cannot be sure will amount to protection; for the effect of these duties depends upon data which you know but imperfectly now and cannot control hereafter; for no man who has looked into the evidence taken before your committee, can venture rationally to predict what will be the amount in price or quantity of corn which will be grown in foreign countries, and flow in from the Baltic, the Black Sea, Egypt, or other parts of the world, when the market of England is thrown open; and every bushel of foreign corn, which shall be imported here under the mistaken effect of your prohibitory duties, will be exactly so much received in fraud of your own principle of protection.

Upon this point, as upon others, do expressly and directly what you say you are doing virtually and constructively. Deal plainly and sincerely with the people, and they will be satisfied; nothing less will or ought to content them. And therefore it is, that so far as the bonded corn is concerned, I hope the House will strenuously support the amendment proposed and
carried by the noble duke near me; for it gives an express protection against that sort of importation and sudden influx and glut, which would be most dangerous to the home market and ruinous to the grower.

And then as to the reciprocity clause, it amounts to this; you say, you will admit a greater or lesser supply of foreign corn, upon a supposed case; but what is the case supposed? Is it that you stand more or less in need of that supply of corn? No.—But that you will deprecate the property of the corn-grower at home, in proportion as you can obtain favourable terms for the sale of your manufactures abroad; trafficking and bartering away the profits of the corn-growers to enrich the manufacturers; and, for the sake of obtaining a wider range of exportation, you set the corn-growers and the manufacturers at variance at home, teaching them to view their respective interests as practically adverse to each other, which, if well understood, must always be one and the same.

These are my objections to the policy and provisions of the bill. And now, my lords, I come to the course of our proceedings. I beg leave to contend that you should go straight forward, and deal with this bill as you would with any other; give it the gravest consideration in all its parts, and amend boldly what you think requires amendment. It is for such purposes that we sit here; and the people have a right to expect from us a careful, conscientious, and firm discharge of our duty. Let us make the bill as perfect as in our judgment it can be made, whatever be the nature of those amendments.

As to what are sometimes mysteriously called technical difficulties and dangers to the bill in another place, let us speak out, and understand each other fairly upon this matter.

That any material amendments in a bill of this description will not, and cannot, be agreed to by the House of Commons, no man acquainted with the law of parliament and its practical history can doubt. We may read it in the Journals of the lower House, we may read it in our own, which bear traces in every reign for the last hundred and fifty years, that the House of Commons never will agree, and they ought not, to any alteration by this House in matter of duties, however minute or remote the effect of our interference may be; their resolutions are explicit, and their claim to exclusive power in originating and qualifying the levy of duties is uniform.

We claim in this House the exclusive right of originating all bills for the restoration of honours, and restitution in blood. The Commons claim on their part from the earliest period, and more plainly by their famous resolution in the year 1676, "That all Bills for granting Supplies ought to begin with the Commons;—and that it is their undoubted and sole right to direct, limit, and appoint, in such Bills, the ends, purposes, considerations, conditions, limitations, and qualifications of such grants, which ought not to be changed or altered by the House of Lords."—And what is this but a bill, intituled, "An Act to grant Duties"—and which, in every clause directs what the amount of duties shall be, and when, and by whom paid?

The amendments already made in this bill—those which have been made by common consent, and accepted by his majesty's ministers, as to the averages, which are changed from the average of one week to that of six weeks—as well as those amendments which have been contested and carried respecting the bonded corn—are all equally such as the House of Commons will refuse to us the power of making, inasmuch as they materially affect the rate of the duty to be levied.

What then is to be done? I say, the course of parliament also makes this clear. When the bill is sent down to the Commons, they will, of course, after reading our amendments, lay them aside, maintaining their own claim of exclusive right to touch duties.

But if they are desirous of profiting by the more matured deliberations of this House, and of taking the full benefit of that most important advantage in all popular legislation, the re-consideration of all matters by a second deliberative body, they will begin indeed by re-asserting their exclusive right to originate and frame all such bills, and then by incorporating the substance of our various amendments in a new bill, do, as they have done in numberless instances in successive periods of our history, repeatedly, wisely, and beneficially, for the state—send up to us their new bill for our adoption; and it is enough to point out for examples of such a proceeding in our own times, the resolutions for regulating the commercial intercourse with Ireland in 1785, and the West-India-Trade bill in 1806. Such a
new bill, if it be not accordant in all points with their first design, they may nevertheless be disposed to present to us, as that which alone appears to be practicable and secure of being carried into successful operation. These, my lords, are the views which I have taken of this bill, and of the proceedings in which we are now engaged; and, according to these principles, my vote will be given upon each amendment which may be brought successively under our consideration.

The Report being received, their lordships proceeded to take the amendments into consideration. The amendment moved, on a former evening, by the duke of Wellington, and agreed to, viz. "Provided always, that no wheat which shall have been placed under bond to his Majesty, his heirs or successors, in any ships or warehouses, after the passing of the Act, shall be entered for home consumption from the ship or warehouse in which such wheat shall have been so placed under bond, so long as the average price of wheat, as settled by virtue of this Act, shall be less than 69s. per quarter," being read,

Viscount Goderich said:—I feel it to be my duty to address a few observations to your lordships upon the subject of this clause. I am sure that my noble friend, who proposed it, will do me the justice to believe, that I would not call upon the House to reconsider its decision, if it were not the sincere conviction of my mind that the amendment of my noble friend is not calculated to produce the result which he anticipated; but that, on the contrary, it will have the opposite tendency. But before I proceed to state the grounds upon which I have come to the conclusion that such will be the practical effect of this clause, I hope I may be permitted to make a few remarks upon the misconception under which my noble friend has introduced this clause. I shall make them, in order that my right hon. friend, the President of the Board of Trade, and myself, may be set right in your lordships' opinion, as to the abuse we have had in giving rise to the misconception. At the time my noble friend introduced the clause, there were objections to it which were not expressed, perhaps not felt, by my right hon. friend; but, I can distinctly state to your lordships, on the part of my right hon. friend, that he never did intend to convey to my noble friend near me any acquiescence in the clause which has been proposed to you; and, more than that, my right hon. friend never saw the clause. My noble friend's supposition, that it had received his approbation, was founded upon certain expressions in a letter which he had received from my right hon. friend, and which, he conceived, warranted him in saying, that it had that right hon. gentleman's approval. My noble friend, on that occasion, read an extract from that letter. I will again read it; and, when your lordships have considered the terms in which it is couched, I think you will be struck with the conviction, that my right hon. friend never intended to convey such an opinion to my noble friend. This I can also state, from conversations which I have had with him, and from explanations which he has given my noble friend. The letter read by the noble duke was addressed to him by my right hon. friend, in consequence of his having received one, inclosing a clause, from the noble duke, wishing to know whether it met with my right hon. friend's approval. I do not think it necessary, at present, to enter into the grounds upon which that clause was objected to; but I wish to call your lordships' attention to the language of the letter, upon the 'misconception of which my noble friend thought himself justified in saying, that he had received the sanction of my right hon. friend to the clause which he, the other night, proposed. My right hon. friend begins by advertising to the technical objection. I do not mean to say, that this House has not a right to propose any amendment it may think fit; but it is also quite competent in the other House of Parliament, if its members thought it inconsistent with their privileges, to object to that amendment. The right of the other House to decide whether it shall or shall not acquiesce in any amendment proposed by your lordships is undoubted. A noble lord, who spoke a little while ago, ought to be aware that it is not a matter of course, as he seems to think, if the House of Commons object to an amendment proposed by your lordships, that it should be obliged to agree to it in another form. The House of Commons can, if it choose, bring in another bill, which shall include your lordships' amendment; but, then, it would discuss the prior question, as to whether it could agree to the principle of the amendment. It is impossible for me to
say whether they would or would not content to this clause; but I really cannot see with what face I could advise them so adopt it, unless I were convinced of the advantage that would arise from the course. I think it but justice to my right hon. friend to read that part of his letter in which he states that difficulty. My right hon. friend thus writes:—"I should certainly be disposed to acquiesce in any reasonable concession which would conciliate some of those who object to the Corn-bill in the House of Lords, without risking the loss of the measure when sent back to our House. I cannot take upon myself to say, whether the proviso, which I return, would be open to this objection. On other grounds, I am afraid you would find great practical difficulties in the execution of the proposed measure." Here my right hon. friend tells my noble friend, not only that he thought his proposal had technical objections, but that, upon other grounds, it was likely to meet with great difficulties. That is surely not sanctioning the noble duke's clause. The letter goes on to offer further objections, and says—"Had your proposal been, that no corn bonded after the passing of the present bill should be allowed to be entered for home consumption till the average price had reached 66s.; and that, thenceforward, all corn so bonded, or thereafter imported, should come under the regulations of the bill, individually I should not object to such a proviso." I really cannot see in this any thing which would lead any one to suppose that my right hon. friend meant to sanction a perpetual restriction on bonded corn, till the price reached 66s. What he meant was, a pro hac vice restriction, applicable, at all times hereafter, to the corn now in bond, till the price reached 66s. That, at any rate, would be my interpretation of the sentence. The letter goes on, "Such a clause would ensure, that no quantity beyond that now in bond should be thrown upon the market, unless, in spite of that quantity, the price reached a level which might fairly be taken as an indication of our being in want of a further supply from abroad." This sentence, I think, clearly points out, that my right hon. friend must have contemplated nothing but a restriction pro hac vice, in order to allow the corn in bond to be got out of the way before the bill should come into operation. The noble duke, however, ently. The letter again refers to the technical objection. "But," it continues, "I am afraid that even this amendment would prove fatal to the bill in our House." The case appears to me to be this:—My right hon. friend expresses his readiness to acquiesce, individually, in something (certainly not that clause proposed by my noble friend); and he did not think it fair to conceal from my noble friend, that even such an amendment as he mentioned would be fatal to the ultimate progress of the bill.—Perhaps your lordships will now permit me to call your attention to the share which I had in these matters. I never did, nor can I, understand my right hon. friend to mean any thing different from what I have just stated. It was on the Thursday before we went into the committee that I first heard of the intention of the noble duke to propose a clause, which had the sanction of my right hon. friend, the President of the Board of Trade. As I had never heard of this clause, or of my right hon. friend's approbation of it, I immediately applied to him for an explanation of what I had heard. I learnt from him, that it must have been a misconception, arising from something he had said in a communication he had had with the noble duke, referring to a proposal which he had forwarded him, and which he had thought he had succeeded in convincing the noble duke was inadmissible. I immediately concluded, that the rumour I had heard must have arisen from these circumstances, and paid no more attention to it. I afterwards discussed with my right hon. friend what amendment it would be possible to agree to; and he then explained to me the contents of the letter he had written to the noble duke; for he had preserved no copy of it, as he had sent it off at one o'clock in the morning, after coming from the House of Commons. We, upon that explanation, proceeded to see whether any clause could be framed with a pro hac vice restriction, such as was proposed the other night. After a full consideration, we found we could not, in consistency, consent to any thing but a temporary restriction, and that such a principle as that on which this clause is founded, that of permanent restriction, was not to be thought of. The bill then went into committee, and my noble friend communicated to me the letter he had received from my right hon. friend. I commun
cated to my noble friend, at the same time, that any reasonable amendment, which would not go to place a permanent restriction on warehousing, would not be objected to. I hope I have shown, that my right hon. friend could not, at one time, have expressed his readiness to concur in a measure, which he afterwards, for no reason, abandoned; and that I did not take up objections of a fanciful nature, or in which I was not borne out by my right hon. friend himself.—I now endeavour to shew why the clause introduced by the noble duke will not have the effect anticipated from it by him, and those who supported it. I must again say, that it is, in my humble judgment, contrary to the principle on which the bill is founded. I do not mean to say, that that would of itself be a conclusive objection; because, if the clause were bad, consistency would be an additional motive for rejecting it. It is of some consequence, that I should shew that government is not inconsistent in opposing this clause, and that it is against the principle of the bill. My noble friend says, he had not seen the bill before it came to this House. How that can have happened, I do not know; as I am sure nothing prevented him seeing it before it was brought forward. When it was brought under the consideration of government, some clauses were discussed and rejected, whilst others were adopted. The reciprocity clause is one of those which were not originally in the bill; but it certainly was not inserted without the noble duke having an opportunity of seeing it. Nothing was done by any member of the government, which was not communicated to all. I beg to recall to the noble duke's recollection the resolutions on which the bill was founded. Those resolutions were, he must remember, discussed by us before the bill was presented to the House of Commons. I think, when I have read the first resolution, you will plainly see that this amendment, whether it be right or wrong, is a departure from the principle of the bill, which was laid down in those resolutions. The first resolution is—"That it is the opinion of this committee, that any sort of foreign corn, meal, or flour, now by law imported into the United Kingdom, may at all times be admissible, upon the payment of the duties following." Now, this clause of my noble friend places corn in this predicament—that the foreign corn bonded in this country should not be ad-
mittcd at all, till the price reached a certain height, which amounted, in a measure, to a prohibition. Now, the principle laid down in the resolution is, that there should be no prohibition. A noble earl, the other night, proposed to exclude from the bill the words, "at all times," conceiving it to have some portentous meaning, which I, not seeing, have not the same objection to. The amendment of the noble duke is intended to secure two purposes;—first, the warehousing system from being abused by the facility it gave to frauds in the averages; and secondly, to prevent those frauds from being mischievous, by causing a glut of foreign corn when there was no demand for it in this country. With regard to the first object, I am at a loss to conceive how corn in bond can have the slightest effect upon the averages, which are made by the sales of corn not in bond, for, although that passes from hand to hand, it yet remains in the warehouse, and does not come into the calculation of the averages. Besides, supposing it did, what would be the effect of that? The effect would be, to lower the price, raise the duty, and yet not make the supply a bit greater. That being the case, I cannot imagine how my noble friend thinks foreign corn would pour in upon us in such an overwhelming flow. If this clause was adopted, it would give the holder of corn in bond the strongest motives to exert himself to get it out of bond. I can easily imagine that, between the passing of this bill and any given time, a certain quantity of corn may be accumulated in the warehouses, say a million quarters; and there it will remain till the price reaches 66s. What stronger inducement can be held out for the holders to release it? If this clause be carried, a door will be opened at once to the whole of the corn in the warehouses; and that, not because it would be wanted, but because an improper system had been adopted. Let my noble friend remember, too, that it would come in upon the payment of a duty of 10s. only, and thus effect all the evils he so much wishes to avoid. If this measure be passed, those who have corn locked up in warehouses will, as I have said, exert their utmost to get it out; they will spend a part of their capital in buying up English corn, in order to influence the averages, and raise them to such a height as would liberate what they may have in bond. It is true, that they will do this at a loss; but it will be
better for them to suffer a loss on a part of their capital, than to lose the whole of it. — But there is another view of this subject which should not be lost sight of. If this clause be passed, it will put an end to the warehousing system altogether [hear]. That certainly would be its effect; and, as my noble friend does not wish to put an end to that system, he must, in consistency, vote against his own clause. That such would be the effect, I think, must be evident. I will suppose that a foreign merchant, thinking he might safely warehouse corn in this country, had accordingly warehoused five hundred thousand quarters. At certain periods of the year it is likely that the markets will rise to 61s., 62s., and 63s., or any price approaching to 66s., but not reaching it. This would, of course, excite a stimulus among the foreign merchants on the other side of the water; who would take advantage of the demand to bring in their corn, and that long before the price shall have reached 66s.; thereby depriving their rivals, who were in bond in this country, of the advantage of the market. Would any body place himself in such a limbo? Would not those who were already in bond rather export their corn to Antwerp, and bring it back before the prices reached 66s., and thus be on a par with those who before had had the advantage over them? No man would ever again be fool enough to lock up corn in a warehouse; whence he could not get it out till the price rose to a certain point? Would not the effect be, to annihilate the warehousing system, as far as corn was concerned? Yet, upon what great authorities was not this system established? We are not the innovators, who have introduced it. We have the authority of the noble duke himself in its favour — the support of antecedent laws — and the high approval of the earl of Liverpool; who, in 1791, urged to the king the importance of the system of bonding corn; for it was first established so far back as 1773, and enforced merely by the law of 1791. Nothing that I have hitherto said can, in the slightest degree, touch a very large class, who will be affected by this bill: I mean the consumers. But that is a delicate question, and your lordships must feel, that, much as we may wish to promote the agriculture of the country, we ought to reflect deeply upon the delicate question of the subsistence of the people. I think, therefore, we ought to pause before we consent to a measure, which would, in times of scarcity, have such a ruinous effect upon the mass of the population. I say, that those who think that the protection of agriculture depends upon putting an end to this system of warehousing are greatly mistaken in the practical effect which such a measure would have. A noble lord, the other night, expressed himself rather in terms of scorn and sarcasm, when I said that the warehousing system would, if chased from this country, be more firmly established on the other side of the water. The noble lord said, it would take as many ships to bring over suddenly the corn we should want, as it would to transport eighty thousand troops, with their baggage and artillery. I confess myself not sufficiently as yet at the details of what number of transports would be required to carry eighty thousand men; but what I stated was, that the corn being bonded abroad, they would, whenever they could get it admitted, send it into the ports of this country, without any reference as to the quantity we might require. If the corn were warehoused in this country, it would be drawn out gradually, as it might suit the views of those who held it, which would prevent the glut which must inevitably ensue from the other plan. Another thing worthy of the gravest consideration is, that, if the corn be warehoused abroad, not one quarter of it will come to this country in British ships. It would all necessarily come in Dutch, Russian, or Danish, ships. The ship-owner abroad, who knows his own interest as well, if not better, than we do ours, would have the corn shipped for this country before we could have had time to send vessels to bring it. This is a circumstance which I adduce, as a strong additional reason for questioning the policy of any measure which would have the effects I have been describing. I am not aware, my lords, that I have any further observations to make on this subject, and I have, perhaps, to apologise, for having occupied your time so long. I have expressed myself with a good deal of earnestness, and why? because I felt strongly upon this subject, which has occasioned it to be told me that I have investigated it with the feelings of a partisan. I am not conscious of those feelings. When I first brought forward this question, I endeavoured to throw off the influence of every feeling but that of a desire to do what was just. If I believed this clause could pro-
does any but the most pernicious results—if it could be shown to me that it would be attended with any advantage—no fear of being attacked for inconsistency should make me hesitate in agreeing to the proposition; but such, I am convinced, is not the fact, and I, therefore, feel it my duty to call upon your lordships to reject it.

The Duke of Wellington said, that, being the person who had proposed the clause under consideration, and because of the allusions made to him by the noble lord who had just sat down, he felt it necessary to claim their lordships' attention for a short time. In so doing, however, he had no complaint to make of the manner in which these allusions had been made, nor was it his intention to enter into any verbal criticism, or to controvert the interpretation which the noble lord had put upon the letter of his right hon. friend; neither would he now defend the misconception under which he had proposed the clause. Adopting as he did and being responsible as he undoubtedly partly was for the resolution upon which this bill was founded, he was bound to say, that he received without distrust the explanation given by the noble lord of the intentions of his right hon. friend (Mr. Huskisson) as expressed in his letter. But, though he approved of the principle of the measure, still there appeared to him to be something objectionable in the mode in which that principle was to be brought into operation; and it was in order to supply that defect that he had proposed the clause in question. Allusion had been made by the noble lord to the first and last paragraphs in the letter of his right hon. friend. With respect to the subject referred to in those paragraphs of his right hon. friend's letter which had been alluded to, he felt it to be a delicate one, and therefore, he thought, in the committee, that it was a point upon which it was better not to enter into a discussion, and that it would not be proper to read to the House the letter of a member of the other House of Parliament upon a subject of that nature. But, as regarded the measure which he had introduced, he thought, if he understood his right hon. friend correctly, that, considering his great knowledge and experience on this subject, and the situation which he filled in his majesty's government, there could be no doubt as to the expediency of a measure recommended by him. When his noble friend said, upon seeing the letter, that it only referred to corn now in bond, he entreated his noble friend to read it again, and also to read over the clause which he intended to propose; and the result was, that when he did propose that clause, he did so under the firm belief that it had the approbation of both the noble lord opposite and of his right hon. friend. The subject, however, now came before the House for their lordships' approbation, and would, it appeared, be opposed by those with whom he had, as he supposed, acted in concert in bringing it forward. His object in proposing the clause had been to put a check on the warehousing system, and thereby prevent those frauds which were practised in taking the averages. It was an opinion generally entertained by persons acquainted with this subject, and by all those who had been examined upon it, that it was impossible to prevent those practices to which he alluded. Then what followed? A man committed a fraud in the averages, and having thereby raised the average to the amount on which he speculated, he came to the warehouses and got what he wanted, and thus effected his object through his own fraud. Upon that principle he was opposed to the warehousing system. The checking that system was the only way of putting a stop to the frauds upon the averages. But he had never intended that the clause should have the effect of extinguishing warehousing altogether; and still less did he intend that it should amount to a prohibition. He did not feel himself called upon to make any apology for having proposed the clause; which, as it was now shown to have been inconsistent with the policy of the bill itself, he did not feel warranted in pressing. But, though he was stopped from proposing this clause, he saw no reason why government should not adopt the suggestion, and make it a part of the bill in the other House. If the noble lord would give any pledge to that effect, he would withdraw this amendment altogether. He was quite convinced that something ought to be done to check the vices of the warehousing system. His noble friend had said, that this system had its origin in 1773. Now, he had no objection to restore it to what it was in 1791. His noble friend had alluded to the strong recommendation of the measure then by the earl of Liverpool; but let noble lords see upon what different base
that and the present proposition stood. In 1791, corn was not allowed to be ware-
house red here but upon payment of a duty of 24s. up to a certain price, a middle
duty to another price, and 2s. 6d. to a third price. Corn was then allowed to be
taken out of the warehouse, not only upon payment of the 24s., the middle or low
duty, but also upon payment of 2s. 6d. before it could be taken out of the ware-
house. This continued to be the law from 1791 to 1814, when the duty was further
raised. By allowing the duty to be col-
lected upon corn in the usual way, the
glut would be prevented. Having now
gone through the bill, he had no intention
of pressing his amendment, but he thought
some measure of the same nature ought to
be proposed by the government, and, if
some pledge was given of a return to the
principle of the bill of 1791, he was willing
to withdraw it.

Lord Holland said, that the provisions
of this clause were so completely at vari-
ance with the resolutions on which the
bill had been founded, and the principles
on which it rested, that he was surprised
the committee should have adopted it.
Were it not for the quarter from which
the measure had proceeded, he should
have thought it was intended as an in-
direct mode of getting rid of the bill.
But the noble duke said, he had been ac-
tuated by no such motive, and that he
was responsible for the principle of the bill,
although not for the bill itself. Now, he
confessed that this somewhat scholastic
distinction was rather too nice for his ap-
prehension. As a legislator, he was too
much of a plain, downright materialist, to
enter into the notion of separating the
measure from the principle. He was not
sufficiently Platonic in his ideas to
separate the soul from the body of the
bill. It reminded him of some verses
which he had read, in a dialogue between
a soul and a body:

"These distinctions so nice can be scarce under-
stood:
Those who wish to divide us can mean us no
good."

So, it appeared, the noble duke, and others,
who so affectionately dandled this bill in
its infancy, and rocked it in the cradle, were
now, in the excess of their fondness, de-
termined to cram their child with caudle,
in a way that would hurry it to a prema-
ture death. How must the noble duke
have been startled, after he proposed the
clause, when he saw that clause approved
by the learned lord who had, from the
outset, faced the bill with the most open
and warlike opposition, on the ground that
it contained the seeds of those principles
of free trade, the adoption of which that
noble lord denounced as a revolution, not
less dangerous than that by which the bi-
shops were excluded from their lordships' House. Nor could the noble duke's ap-
prehensions have been at all allayed, when
he perceived his clause commended by the
noble lord in the green ribbon (Lauderdale),
who had opposed the bill as a measure,
the adoption of which would have the
effect of laying England at the feet of the
rest of the world. And, if this was not
enough to make the noble duke suspect
the tendency of his clause, surely he must
have been convinced of its inconsistency
with the principle of the bill, when he
heard the shout of exultation which the
success of the clause elicited from those
who were known to entertain the most
decided hostility to the bill. He expected,
when the noble duke observed these in-
dications, that he would this night have
withdrawn his clause, instead of persisting
in it. But the clause of the noble duke was
quite inconsistent with the resolutions
on which the bill was founded. What
was the main import of them? Why,
that corn, imported into the kingdom,
should be admissible into the market, at
all times, for home use, &c. But what
said the noble duke's amendment? That
corn deposited in warehouses should not
be admissible until the market price should
have risen to 66s. Could any thing be at
greater variance with those resolutions? And,
if it was at variance with the resolutions,
it was directly subversive also of the prin-
ciple of the bill. What was that principle?
The substitution of protection by duty for
prohibition. Now, pro tanto, what was the
amendment of the noble duke? Why, to
bring back the system of prohibition as to
the warehoused corn; and therefore it was,
pro tanto, subversive of the principle of the
general measure. He did say, therefore,
that their lordships ought to reject this
clause, as being thus inconsistent with the
rest of the bill. Let their lordships see
what would be the effect of this amend-
ment. The noble duke said, he was a
friend of the warehousing system; but the
effect of the clause proposed by him
would be to do one or other of two things,
either to destroy the system of ware-
housing altogether, or to perpetuate those very evils which it was intended to prevent. Whichever way it operated, it would be extremely pernicious—whether it did away with the warehousing system altogether, or increased the facilities for those practices which the noble duke professed it to be his object to check. With respect to doing away with the warehousing system altogether, he thought it would be unjust, impolitic, and disingenuous. He was told that it checked speculation; but he confessed that that conveyed to his mind either nothing, or that which was worse than nothing, the old exploded notion of speculation in the food of man being a great crime. He denied that it was an unfair speculation to hoard corn, either in a warehouse or in a farm-yard. Formerly, a great outcry was raised against those who were called regraters and forestallers; but, fortunately for the country, speculation made these men do more for the community than ten houses of parliament could effect. What was the effect of their speculation? They became stewards for the public; and, when times of scarcity came, and there were no means of inducing people to send food here from abroad, the evil was provided for, by their having boarded up a supply in times of plenty, to meet the wants of the public, at a period when, but for them, there might have been no possible means of supplying them. He therefore insisted, that it was great impolicy to oppose this system. There was an objection to this bill which had been frequently urged; namely, that it rendered us independent on foreign countries for a supply of food. But, would not that effect be greatly aggravated by destroying the warehousing system? For then we should be compelled to draw our supply of corn, in time of need, from magazines lying on the opposite coast, instead of our own; so that we should be thus completely at their mercy. At present, it being clear that no foreign country could interfere with our maritime superiority, except for a short time, we should find a sufficient supply of corn in bond for that short time, and thus be enabled to meet the only difficulty which might otherwise arise.—The noble lord next contended, that this mode of destroying the warehousing system by a side wind, was disingenuous and impolitic; inasmuch as it was calculated to mislead the foreign merchant, who would not be pre- pared for the situation in which he would be placed upon sending his corn here. The only manly way would be to say at once, the system should be put down, and no warehousing allowed at all.—There was another objection, which he wondered had been overlooked by those who were so jealous of the shipping system; for, by only admitting foreign corn into the market, to the exclusion of bonded corn, their lordships in effect granted a premium upon foreign shipping. But the noble duke said, they would come and warehouse, in spite of the advantage against which they would have to contend. Well, supposing they did, what would be the effect? Why, by increasing the prohibition on the corn so warehoused, they would produce an unnatural glut of the market, which would be attended with those injurious consequences against which they were most anxious to guard. A gradual supply in the market was the remedy against sudden gluts; while the noble duke's proviso was calculated to produce them. It was clearly in opposition to the principle of the bill, which was to do away with prohibition, and substitute decreasing and increasing protecting duties in its stead. For these reasons, he thought it would be most imprudent to adopt this proviso. He was aware how little knowledge he possessed on these points, for he never, by chance, read a book on political economy; but his common sense told him, that the present bill was infinitely better than all that had gone before it. Should times of scarcity come, he did not believe any government would be strong enough to pass such a bill as this. Noble lords might be assured that, if they lost the present bill, they never would be able to carry such another.

Earl Bathurst contended that there was no substantial difference between the amendment, and the proposition of the President of the Board of Trade. The right hon. gentleman's proposition was, that no corn should be taken out of warehouse, for home consumption, until the average price in the home market reached 66s.; and that then this bill should come into operation, but not until that was the case. It was obvious that this contingency might take place then, or next year, or perhaps it might not happen for ten years. He objected strongly to the principle of the reciprocity clause; by which government would have the
whole power, although parliament might be sitting, of determining what goods should and what should not be warehoused.

The Earl of Falmouth thought the bill, as far as regarded the averages, in the highest degree unnecessary, impolitic, and unjust.

The Earl of Darnley thought that if the amendment of the noble duke were adopted, it would subvert the principle of the bill. At the same time, he should have no objection to apply that amendment to the corn at present in bond; and would move an amendment to that effect.

Lord Goderich thought the proposition of his noble friend liable to considerable objections. The effect of it would be, that all corn warehoused after the passing of the act, or entered for home consumption, would be subject to the regulations of the bill; but that the corn now in bond would be excluded, until the averages had reached 66s.

The amendment of the earl of Darnley was negatived.

Lord Calkhorpe thought that the bill, though not the best that might have been framed, would yet be productive of some good. He was decidedly opposed to the amendment of the noble duke.

The Earl of Harwood said, he would vote for the amendment proposed by the noble duke, in the discharge of his public duty. He voted for it as a means of restraining the warehousing system, which at present he thought to be inexpedient, and because he was desirous of giving the agriculturists a greater protection than was afforded by the bill. He was anxious to provide, in adverse seasons, a compensating price for a diminished production.

The Marquis of Lansdowne said, he had heard a good deal of the necessity of altering the title of the bill, to make it better suit the real object of its framers; all he should say was, that no alteration in the title would have facilitated that great alteration in the substance, which would have justified the amendment of the noble duke. Let their lordships consider what was the title of the bill, and what the proposed amendment. The object of that amendment, as stated by the noble duke, differed most materially from the reasons assigned by several noble lords who had given it their support. As the amendment came from its noble author, it was perfectly consistent with his avowed support of the principle of the warehousing system; others followed in its advocacy, but on the ground that it checked that system; while there was still more who gave it their support because it extinguished that very warehousing system, which now, forsooth, it was deemed advisable to extinguish, after its adoption into the policy of the country for a series of thirty or forty years. This policy was, however, now for the first time discovered, by some new lights, to be inexpedient. He felt confident, that he could show, from the general spirit of every act, respecting the warehousing system, that the intention of the legislature was not to check but to extend and protect that system; which was to give the fairest scope to agricultural industry, and to the security of its reasonable profits. To depart from that policy at present, would not be to give a better protection to agriculture, but to withdraw that capital which had heretofore been employed in the warehousing system; and thus reverse, by an incidental clause in a bill, the whole current of a salutary policy. When noble lords referred to the warehousing system, they looked to it as a bugbear of alarm; and, in doing so, he thought they regarded it more from appearances suggested by their own imaginations than by the reality of the view. It was quite clear that, if they abolished the warehousing system, foreign grain would not come into the market, as it now did, to await their good time of giving them a remedy for a great evil, against which they were bound to guard. Nobody went so far as to propose the exclusion of foreign corn; on the contrary, it was universally agreed, that there was a necessity to stipulate for its admission, and the only difference was, as to the time when that necessity ought to arise. But some noble lords appeared to have entirely overlooked the advantage of lodging that foreign supply in a dépôt, which was provided in the safest possible manner, for it was totally independent of foreign politics, or indeed foreign control; and where its entrance into the market was regulated, so as to have operation exactly at the moment required. With respect to the suggested operation of the amendment upon the averages, he must deny that a single fraud could be corrected by such means. In fact, instead of removing the facility of perpetrating fraud, this clause would actually create it, by furnishing the motive and supplying the means for its commission. The amendment would supply to specu-
lators in the market that strong additional motive to raise the averages, by pointing out the facility of their combining in one great body to make the price suitable to the operation which they were bent upon accomplishing, instead of being now left to act as individuals, often countenancing each other in their speculations, and for the decided advantage of the public. The proposed clause obviously pointed out the necessity of combining to bring the price up to that point, which would let in the rush of the foreign commodity, and thereby expose the home-grower to the constant alternation between very high and low prices, without his being at any time able to make a rational estimate of his profits prospectively. It was the deliberate result of his best consideration, that the proposed clause would extend all the evils which it professed to repair; and he warned their lordships, that, by adopting it they risked the advantage of closing this great question for ever, and removed from their reasonable control that stock of foreign corn which was safely standing for their benefit under the protection of British law. A noble lord had said, that it was but fair to the agriculturist to let him know what he was to expect in the shape of a remunerating price for his commodity. He wished it was possible to furnish this valuable piece of information to the agriculturist; but every reflecting man must know that they had not the power of doing so. Was it possible, from any information which either theory or practice could supply, to secure for any commodity which was subject to the variety of seasons and the influence of speculation, any thing like a fixed price? The thing was impracticable; and the only way open to them was so to regulate and modify the foreign admission, as to preserve a steady medium price, and secure the public in the event of a contingency. That object was effected, as far as wisdom and caution could accomplish it, by this bill; and the warehousing system was an essential part of the operating means of providing the benefit. A noble lord had referred to the state of Ireland as one reason why he approved of the clause; because its adoption tended to improve the quality of the food used by the Irish people. Now, he wished, as cordially as any man, to see an improvement effected in the food of the people of Ireland, and that wheat should be consumed in a greater proportion by them than potatoes. But the noble lord, in making this allusion, really presumed too much on that confusion of ideas which was sometimes attributed to the inhabitants of the sister kingdom, when he ventured to assert, that the way to induce the poor Irish to eat flour instead of potatoes, was to raise the price of it. Upon the general bearing of this measure, he felt that the best way of affording protection to the agricultural interests, and to prevent labourers from being thrown out of employment, was to prevent that violent fluctuation in the price, which was always injurious to the grower and consumer. He voted for the bill in its original state, because he conscientiously believed it to be the best adapted for the real and solid interests of the landowner.

Lord Roddelsdale supported the amendment, not because it was a sufficient protection for the landed interest, but because it was the only protection which they could hope to obtain, instead of the prohibition to which they were entitled, after the legislature had gradually destroyed the value of the wool, cheese, butter, and all other agricultural produce, except grain.

A division then took place: For the duke of Wellington's amendment, Content 85; Proxies 48; Total 133.—Not Content 78; Proxies 44; Total 122. Majority 11.

Lord Goderich said, he should waive, in the present stage of the bill, any further opposition to the other amendments. The Earl of Landerdale asked, if ministers intended to acquiesce in the amendments on the third reading of the bill, or to oppose them?

Lord Goderich said, he must have more time to consider, before he could make up his mind as to what course he would take.

Lord O'Clifden said, that he was not responsible for the bill, nor one of his majesty's ministers; but, if he were one of them, he would throw away the bill at once, and leave all the popularity of such a proceeding to the noble lords opposite.

List of the Majority, and also of the Minority.

<p>| Abergavenny, earl of | Audley, lord |
| Abingdon, earl of | Aylesford, lord |
| Ailes (Cassilis), lord | Bath and Wells, bishop of |
| Anson, lord | Bathurst, earl |</p>
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<th>Arbuthnot, lord</th>
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<td>Ailesbury, marquis of Albemarle, earl of Bagot, lord</td>
<td>Bangor, bishop of Buckinghamshire, earl of Byron, lord</td>
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<td>Albermarle, earl of</td>
<td>Chichester, bishop of Crewe, lord</td>
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<td>Bagot, lord</td>
<td>Clarence, duke of Carrick, earl of Carysfort, earl of Conyngham, marq. of Caledon, earl of Dunan, lord</td>
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<td>Bredaialban, earl of Buckingham, duke of Belhaven, lord</td>
<td>Derby, earl of Denbigh, earl of erkine, lord</td>
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<td>Beresford, lord</td>
<td>Foley, lord Fortescue, earl</td>
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<td>Carrington, lord</td>
<td>Grafton, duke of Grenville, lord</td>
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<td>Clarance, lord of Carlisle, bishop of Clogher, bishop of Churchhill, lord Cardigan, earl of Dornet, duke of Ely, bishop of Forester, lord Graham (Moutrose), earl Gwydyr, lord Gray, lord Hay (Kinnoull), lord Hertford, marquis of Harris, lord</td>
<td>Granville, lord Gray, lord Hay (Kinnoull), lord Hertford, marquis of Harris, lord</td>
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<td>Kerr (Lothian), lord Landsdale, earl of Malmebury, earl of Mansfield, earl of Manvers, earl Melville, viscount Montagu, lord Newcastle, duke of Napier, lord Northumberland, duke of Poment, earl of Poulett, earl Powis, earl Redesdale, lord Richmond, duke of Rochford, lord Rodney, lord Rosslyn, earl of Rutland, duke of Salisbury, marquis of Salisbury, bishop of Saltoun, lord Sidmouth, viscount Shaftesbury, earl of Sheffield, lord Somers, lord Strathearn, lord Stanhope, lord Tadcaster (Thomond), lord Talbot, earl Tankerville, earl of Teynham, lord Vane (Londonderry), lord Wellington, duke of Westmoreland, earl of Willoughby de Broke, lord Winchelsea, earl of</td>
<td>Harrowby, earl of Hillsborough (Downshire), lord Holland, lord Hood, lord Howard de Walden, lord King, lord Kingstone, earl of Limerick, earl of Lake, lord Lansdown, marq. of Leinster, duke of Londonderry, earl of London, bishop of Lucan, lord Lyneoch, lord Macclesfield, earl of Mendip (Clifden), lord Montague (Sligo), lord Montford, lord Morley, earl of Ormonde, marquis of Plunkett, lord Portland, duke of Rosebery, earl of St. David's, bishop of St. Vincent, lord Salterford (Courtown), lord Say and Sele, lord Seaford, lord Somerhill (Clanricarde), lord Spencer, earl Suffolk, earl of Sussex, duke of Sydney, viscount Thanet, earl of Wharcliffe, lord York, archbishop of</td>
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Rate of wages — Petition of Spital-fields Weavers.] Mr. E. Daventry presented a Petition from the operative Silk-weavers of Spitalfields, praying for relief from the greatest grievance under which any portion of the community could labour; namely, inadequate remuneration for their labour. They prayed, that an inquiry might be instituted into the cause of their distress. It might be that it was not in the power of that House to relieve them; but as persons who were drowning caught at the slightest things to save them, so the petitioners were anxious to seize every possible means of remedying the evils under which they laboured. They admitted that there was an improvement in the trade generally; but expressed their doubts of its continuance, and their conviction of the little benefit which that improvement would occasion to the working classes, while the masters, by combination, had the power of diminishing the rate of wages. They solicited Parliament to enact a law, making agreements with respect to wages between the masters and the journeymen duly convened, imperative on both parties. For his own part, he thought that any measure of that kind would be a palliative, and not a corrective of the evil; which, in his opinion, principally resided in the state of the currency. He could never understand how it was possible to withdraw a considerable portion of the currency in the manner in which it had been withdrawn, without paralysing all the industry of the country. The act providing for the abolition of one-pound notes had already produced the greatest distress; and eighteen months were still to elapse, before the whole of the evil which it was calculated to create would be rendered manifest. If that evil were not neutralized by some measure of a counteracting tendency, he was persuaded that it would arrive at a most alarming height. It was extraordinary to hear the contradictory opinions on this important subject. While in the memorable debate which three years ago took place respecting it, one of the ministers of the Crown asserted that the question of the currency was settled; a Bank director, a man of great ability and experience, declared that so far was the question from being settled, that the manner in which it was left was fraught with the utmost danger, and would speedily require some alteration in the law. Was it not incumbent on the House to sift to the bottom such opposite opinions on a subject of such vital importance? By what strange fatality was it, that so few persons were disposed to listen to the discussion of a topic so generally interesting? It appeared as if some apprehension existed, lest the real facts of the case should be made manifest. Various reasons had been pressed upon him, but in vain, to induce him to withdraw his notice of a motion on Thursday next, for the appointment of a select committee to inquire into the causes of the severe distress which had afflicted the commercial and industrial classes of the community during the last and present years. However unwillingly in some respects, he was determined to do his duty by persevering in this motion; leaving to Parliament all the honour or all the shame that would result from adopting it on the one hand, or letting it die on the other.

Ordered to lie on the table.

People of Colour in the West Indies.] Dr. Lushington, in rising to make his motion respecting the People of Colour in the West Indies, observed, that he was sure when the House became acquainted with the circumstances of the case, they would be of opinion with him, that it was one deserving the most serious consideration. There were few members of that House, except those who had local connexions with the West Indies, who had any idea of the number, wealth, and importance, of the description of individuals whose Petition he was about to present, and whose cause he meant to advocate. To those members who were locally connected with the West Indies, this was well known. By those who had sons, daughters, brothers, friends, among the petitioners, he trusted he should be supported, in endeavouring to rescue from a state little short of slavery, individuals thus attached to them by the dearest ties of blood and in-
timacy. He should abstain from pointing out any particular instances of the kind to which he alluded; not for want of accurate and abundant information on the subject, but because, if the motion should be negatived, he should be sorry to have uselessly hurt feelings which hewas desirous of respecting. The House had probably very little idea of the relative numbers of the different classes of the population of our West-India islands. In Jamaica, by far the most important of our colonies, the population was estimated to be as follows:—whites, 25,000; free people of colour, 30,000; free blacks, 10,000; blacks, 340,000. Such were the relative numbers as estimated in 1826. Every hour increased the number of the brown, and decreased the number of the white population; and that for the plainest possible reasons. In the first place, the climate was hostile to whites, who being born in Europe, transferred themselves to the West Indies; so hostile indeed, that if the details of the mortality which prevailed among the new-comers could be displayed to the House, they would regard them with horror. In the second place, the whites who went to the West-India islands were principally males; few females resorting thither for the purpose of taking up their residence. These two causes were perpetually operating to diminish the white part of the population. The brown part of the population, on the contrary, was increasing with great rapidity. It had been declared by Bryan Edwards, and by every other author who had treated of the West Indies, that of all the races by which those islands were inhabited, there were none so healthy, so free from tendency to disease, and so long-lived, as the mixed part of the population. They were allowed, on all hands, to be peculiarly strong and hardy. But if it was true, that the brown population, as compared with the blacks and the whites, was rapidly increasing, it was a circumstance of no small importance; and one which, in the course of time, and that at no very distant period, would imperatively demand the attention of parliament. For let not the House suppose that this class of the West-India population was low, degraded, or destitute. In Jamaica, the brown population was supposed to be worth at least three millions sterling. He had been told, that they were worth five millions; but he took three millions, as the most moderate calculation. To show how wealth accumulated among them, he would mention a few instances of sums that had been bequeathed in several cases. A Dr. Dickenson had left 120,000l.; a Mr. Swaney, 150,000l.; a Mr. Kingall, 200,000l.; a Mr. Scott, 250,000l. In St. James's parish, Jamaica, alone, three individuals who had signed the petition in his hand, were said to be worth together above 120,000l. Not only were the people of colour wealthy, but they possessed extensive landed property. With the exception of one estate (belonging to the hon. member for Surrey), all the pimento plantations were in their hands. They also had a great number of the coffee plantations. Many of the houses in Kingston, and the other towns in Jamaica, belonged to them. Such was the condition, such the respectability, of a race who had never-theless been, for a long period, deprived of those rights which were originally conferred upon them by charter. It was declared by all the original charters granted to the West-India islands, “That all children of whites born on the island should be, from their birth free denizens of England; holding the same privileges as free-born subjects of England.” Such was the practice for a considerable time. At last, a practice grew up, by which the privilege of British subjects was taken away from the offspring of white men by brown or black women. In progress of time, the acts of the colonial assemblies to this effect received the sanction of the mother country. Strange to say, in the year 1711, a statute was passed, disabling the individuals in question from holding public situations. The hon. and learned gentlemen here read the opinion given at that period on the subject by lord Chancellor West; who, while he allowed that slaves might be treated as their owners thought proper to treat them, denied that it could be just to exclude free persons of colour from the privileges of the other free inhabitants of the colonies. No man could bequeath to a child of colour more than 1,400l. These laws were contrary to all principles of justice, and an outrage on every natural feeling. It was found in practice impossible to continue them, amongst any society of human beings, whatever might be their principles or their feelings. Immediately after this, he found an act passed in 1769, to enable one W. F. Brown to bequeath his property to his children. In 1764, an act was passed, to permit a woman of colour to leave her property to her child,
He should now allude to the law, which required, that a certain number of white persons should be kept upon every estate, and which imposed a penalty, when the estate was the property of the free men of colour. The government at home rejected this act, as it amounted to a very severe tax upon absentees. But this objection was attempted to be overcome or avoided, by passing similar acts repeatedly: and it was only six months ago that the governor of Jamaica, the duke of Manchester, was obliged to withhold his assent from such a bill, upon the ground of its operating as a tax upon persons residing out of the colony.

In 1796, immediately after the termination of the Maroon war, the free men of colour were allowed to bear testimony against whites in cases of assaults. They were not allowed to produce collateral testimony, and they were to be transported, if guilty of perjury. Lord Balcarres, the then governor, was an eye witness to a case of the most atrocious assault upon a person of colour by a white inhabitant; but he found himself unable to convict the culprit, or to punish the outrage. It was afterwards, in reward for the important services rendered by the people of colour in the Maroon war, that the privilege was conferred upon them, of giving evidence against the whites in cases of assault. In 1813, a great alteration took place in the state of the black and coloured population. Their condition was materially improved by certain concessions made to them by the House of Assembly; though, he regretted to say, that the boon had not been granted with the liberality he could have wished. The House of Assembly passed an act, by which they gave certain privileges to free persons of colour, upon their taking out what were called privilege papers. In 1816, an act passed, to enable free people of colour to navigate their own vessels, and to drive their own carts and hackney-coaches. From this act, a pretty good opinion might be formed of their previous condition. Bryan Edwards, alluding to their sufferings, had said, "The mischief of the rigour of the law is, that it tends to degrade them in their own eyes and in the eyes of the community; it is carried so far as to make them wretched in themselves, and useless to others." In 1823, a petition was presented to the House of Assembly, signed by all the principal people of colour in the island. It complained, that they were not allowed to participate in any of the advantages of government. In 1836, there were unequivocal signs that there had been a great progress in public opinion, both in the House of Assembly, amongst the persons of colour, and even amongst the slaves themselves. The inhabitants of the two parishes of St. James and St. Elizabeth, petitioned the House of Assembly in favour of concessions to the people of colour. It was impossible for any petitions to have contained more sound principles, or to have been expressed in better language. But the House of Assembly rejected the petitions. They rejected every measure proposed, but they turned round and conferred the whole of the privileges prayed for in those petitions, upon the Jews. Yet the Jews had never petitioned upon the subject. He meant no offence to the Jews: he was far from entertaining the unjust, absurd, and mischievous, prejudices which existed against them. He could not, however, refrain from regretting, that the House of Assembly should have extended to them those privileges which they had refused to the free men of colour, who were Christians; and who, even in point of complexion, could scarcely be distinguished from the whites themselves. Some of the free people had, however, been selected, and had had conferred upon them all the privileges of British subjects. Facilities were given to individuals to obtain these privileges by private bills; the fees upon passing which through the House were dispensed with. But many persons were above suing for these privileges, upon such terms. What would be thought of the government of England, if they attempted to introduce a practice of bringing in bills, one by one, to emancipate the Catholics? The free men of colour were still excluded from sitting upon juries, from holding public offices, and from any exercise of the elective franchise. It was the same in almost all the West-India islands. There were certain public schools in the island of Jamaica, which were supported by taxes, levied equally on blacks, whites, and persons of every shade of colour. With the exception of the parish of St. James, persons of colour were excluded from all such schools. Even in St. James, the system was most unjust. He found that, in that parish, there were seventy free persons of colour educated, at an average charge of five pounds each, whilst six white persons were educated at the expense of not less than one thousand pounds,
Free persons of colour were prevented from serving upon juries; and the consequence was, an impossibility for any person of that description to obtain justice against a white. He would allude to a trial, in which two persons, named James and Hector Mitchell, bore a most conspicuous part. The brother of the present Attorney-general was, at the time, the person before whom the cause was tried. He charged the jury in strong language; but they refused to obey. The learned judge had said, that the evidence of Hector Mitchell ought not to have been received; and the House would not differ from this opinion when they were told that the witness, at the outset, had positively refused to give his testimony at all, if he were not allowed to give it in his own way, and just as he thought proper. This was acceded to him; and he accordingly did give his evidence in a way peculiar to himself, and contrary to all the principles of testimony acknowledged in our jurisprudence. He ran on in a confusion of hearsay evidence; and although he was contradicted by six other witnesses, the jury, notwithstanding this, and notwithstanding the opinion of the judge, gave their verdict against the man of colour, and in favour of the person of their own complexion. So strong was the case, that the judge immediately declared, that he would grant a new trial, if the aggrieved party desired it. But the unfortunate plaintiff replied, “What will it avail me to have an impartial judge, or excellent counsel? the jury will still be white men, and I have no chance of success.” The want of a sufficient number of white men to form juries often occasioned a most strange, if not ridiculous practice. It frequently happened, that they could not produce a sufficient number of white men to form a coroner’s inquest. In such cases it was the practice at Kingston to send to the barracks, to procure soldiers, or to the ships to get sailors to convert into jurymen.—He had taken care to be correct in what he stated, and his views were not the result of one single instance, but of cases taken indifferently from time to time. Free people of colour were compelled by law to serve in the militia of Jamaica, but they could not rise higher than the rank of sergeant. Thus, a free man of colour, possessed of 100,000L, might be commanded by his clerk. It might be supposed, that the natural effect of such a system of treatment would be to oblige the people of colour to throw themselves largely upon the public funds for support. So far from this being the case, it was principally the whites who were obliged to resort to public charity. In Kingston, the proportion was as ten to one. The number of browns was greater than the whites; and yet they had to contend with all these restrictions. The proportionate allowances to the different classes were most unjust. Thus, to destitute blacks was allowed 5s., to browns, 6s. 9d., and to pauper whites from ten to twenty shillings. It might be supposed, that the system would have the effect of demoralizing the free brown population; but he found the offences committed by the white population to exceed those charged against persons of colour. In the course of the last forty years, only four brown persons had been executed; whilst, of the white population, the instances were more frequent. After the Maroon war, the House of Assembly passed a vote of thanks to the free people of colour, for their services during that dangerous conflict. In no instance had they ever been charged with disloyalty; although the treatment they had met with might have mised their passions, and they had in their hands a tremendous power. The militia of the island consisted of not less than 10,000 men; of which about 5,000 were persons of colour. There were seldom more than 2,000 regular troops upon the island. He trusted that the House would undertake such measures as were likely to remedy the mischief. The scandalous effect of the present system was, to induce the daughters of persons of colour to live in a state of prostitution to the whites. The policy of Jamaica was to discourage marriage in any shape, and prostitution was more common than could be conceived. If a brown man had an illegitimate child by a white woman, it might inherit the parent’s property; but if he married her, his legitimate child would be disfranchised. This was practically to give a premium upon concubinage, and to inflict a penalty upon marriage. The absurdity of the laws could not admit of a doubt. The children of slaves might be slaves in virtue of the laws of property, but the children of brown persons were deprived of their privileges for no other reason, but because their complexion happened not to be white. It was the duty of the government to remedy these inconveniences. He, however, would not press any particular mea-
sure; for he thought it desirable that the House of Assembly should have another opportunity of discussing the subject. He felt he was pursuing the course best calculated to obtain the end he had in view, in allowing the government to take whatever measures they deemed best calculated to remedy the evil. Perhaps there did not exist any system of abuse against which public opinion was so strong, and so decidedly unanimous. So much did he consider the ridicule, the injustice, the oppression, under which these unfortunate people were labouring; so urgent was the necessity for relief; so replete with danger was the continuance of the system, that he should consider it his bounden duty, in a future session, if his hope of something effectual being accomplished was not realized, to renew the subject, and to endeavour to bring the House to some agreement upon the measures of remedy proper to be pursued.—He had another petition to present from a person scarcely distinguishable from himself in point of complexion. So comprehensive and uncompromising were these laws, that the restrictions extended to persons of colour of every nation. They were not confined to the blacks or negroes of Africa, but they extended to the people of colour of America, and even to every variety of the Indian race.—He could not help availing himself of the present moment to allude to the late deportation of persons of colour from the island of Jamaica. He had investigated the subject, and he entertained not the shadow of a doubt as to the nature of that transaction. He was willing, at the present moment, to postpone this case, as he was aware, that since the changes incidental to the illness of the earl of Liverpool, it had been impossible for ministers to have made themselves perfect masters of the subject. It was necessary for the character of public justice that the House should, in this case, protect the injured. The hon. and learned gentleman then presented a petition from the freeholders of the mixed race, and others, free inhabitants of the island of Jamaica, for admission to the full protection of the law, and the privileges of British subjects; and also a similar petition from George Hyde, on behalf of the free people of colour in the colony of Honduras.

Mr. C. N. Palmer said, he felt as anxious as the learned gentleman to see the question that agitated the colonies settled finally and satisfactorily. There was no difference between him and the learned gentleman, except as to the mode in which their common object should be carried into effect. It was hardly fair, in discussing such a question as the present, to go back to the reign of queen Anne. It should be considered, not as it was, but as it now is. He denied that justice was refused to the brown population. He never knew an instance of oppression exercised upon one of them; and though a single case had been mentioned by the learned gentleman, one case was not sufficient to establish a principle. He had not the slightest hesitation in saying, that substantial justice was done, in all cases, to the brown population in Jamaica. In 1761, a law had been passed prohibiting legacies to a large amount being left to illegitimate children; but not to those born in wedlock; the object of it being to discourage the prevalence of illicit intercourse. He rose for two purposes—the one was to deny the partiality and injustice complained of, the other to resist, as far as he could, the too sudden changes sought to be introduced amongst the population of the West Indies. He admitted that justice in the West Indies was, in general, badly administered; and bore testimony to the good conduct of the brown population, and the favourable feeling entertained towards them amongst the whites; but he feared that parliamentary interference might check those benevolent feelings. The hon. gentleman concluded by reading an extract of a speech of a distinguished member of the House of Representatives, in which that gentleman recommended caution and moderation in the promotion of the brown population.

Mr. Brougham said, he felt no small degree of disappointment from the speech which he had just heard. He was ready to acknowledge, that the long residence in Jamaica of the hon. member, gave considerable authority to what he said; but still, that authority had not the weight of facts. But, without taking nice distinctions between the value of his authority and the weight of established facts, he would come to the point with him.—Were the brown population in the habit of receiving substantial and practical justice? Were there not thirty or forty thousand of the king's free and meritorious subjects who received neither justice nor fair deal-
ing? The hon. member had himself borne testimony to their good conduct; and, was it to be endured, that men, against whom no charges had been substantiated, should be denied the first rights of British subjects? He could not allow gentlemen to go back to the reign of queen Anne, or to the first of the late king. "Don't listen to those," said the hon. gentleman, "who tell you how things have been; but listen to me, while I do not tell you any thing." It was in vain that he told them of the industry, and the moderation, and the candour, of the learned member, while he said to the House, "pay no attention to his facts, but listen to my no-facts— listen to me, who tell you nothing, but pay no regard to him who speaks to the purpose." There had not been, he would contend, the slightest attempt to show, that the brown population received justice from the courts that sat in Jamaica. As often as a court sat, so often it was to do injustice. It was morally and physically impossible that they could be done justice to. They were not tried by their own members. Was that nothing? It was said, that the courts were open to the wealthy—they might there be sued for any offence—they might there be permitted to try questions relating to such property as the law permitted them to have a title to. But, could they have a judge or jury of their own people. Could they be tried by a jury of brown men? How would the hon. member himself like to be tried by a jury of brown men—of Irishmen—of Scotchmen—of Frenchmen? Confident he was, that the hon. gentleman would not desire to be tried by a jury, all the individuals of which were abolitionists. The law which said to an individual, "You shall be tried by men who are aliens and enemies," was manifestly unjust. Would the hon. gentleman like to be tried by a brown jury, who were his enemies? for enemies we had made them, by our absurd laws, in spite of the commands of Providence, and the dispensation of nature. These regulations had raised a barrier between two divisions of the human race; a partition wall was erected, by the interposition of which the tenants of the one side were rendered the artificial enemies of those of the other. The slowness with which the West-Indian legislatures proceeded was attempted to be justified by the difficulties of the case; which difficulties, it was added, the House of Commons had itself felt and admitted. He confessed he did not see the force of this argument; and could not receive it as a satisfactory explanation of the total inerntness of the colonists. No resemblance whatever existed between the case of the Catholics and Protestant Dissenters of this country, and the condition of the negroes and people of colour of the West Indies. Yet a comparison had been instituted. The Mulatto was made to bear the burthen of his parents crimes. Not for any fault of his, but because others had sinned, was he persecuted. If any thing was calculated to drive men to madness and despair, it was a condition such as this.—If any thing deserved to bear the name of cruel, it was a policy such as this.—If any thing deserved to be denominated by the title of childish and contemptible, it was a policy like this—the rather when it was considered that one half of our colonial militia was composed of these very men of colour, who were themselves deprived of the rights of humanity, and who were also the brethren of those negroes, by whom the colonists were out-numbered and surrounded.

When it was considered that the Mulattos were allied by a shade of skin to those countless thousands held in bondage by the West-India planters, the consequences of irritating them must be most alarming. Again, while they allowed their blacks occasionally to be free, refusing a similar boon to the Mulatto, and attempting to restrain all with their petty handful of whites, they might say, if they pleased, that this was a correct policy—that this was the slow progress so mightily commended by their advocates; but, for his part, he conceived that such a state of things could only be continued by a gross misunderstanding of what was the interest of the colonists themselves. He promised his learned friend success, if he persevered: he promised him many triumphs in the good cause—triiumphs in which he hoped to participate with him. He was sorry his learned friend could not bring forward the duke of Manchester's case this session. He would say what his learned friend's modesty prevented him from saying; that he had taken great, and not unavailing, pains with the subject. He would venture to claim for his learned friend the praise of having applied skill and diligence, almost incredible, to the case. He hoped he would, at a future
period, bring it forward; but he also entertained a belief, that circumstances might arise which would render the introduction of his learned friend’s proposition unnecessary. He said this, because he confided in the activity and honesty of that government, in which he would again express his confidence. He trusted his majesty’s government would bring forward such measures as might spare his learned friend the trouble of calling the attention of the House to the question. The conduct of the chancellor of the Exchequer (Mr. Canning), while Secretary for Foreign Affairs, had afforded him the highest gratification; seeing that, in a short time, the slave-trade would no longer exist anywhere by law. The exertions of that right hon. gentleman had been unwearied; and to those exertions it was owing, that a treaty had been concluded, by which the duration of the abominable trade, in the only country where, at present, it existed by law, was limited to a period, not exceeding three years. The right hon. gentleman deserved the praise of having been the first, as far as laws and regulations could effect the mighty object, completely to do away with what Mr. Pitt had emphatically called, “the greatest practical evil that ever afflicted humanity.”

Mr. Wilmot Horton expressed his satisfaction at the general tone in which the debate had been conducted, for if the great object in view were to be carried into effect through the intervention of the Colonial Legislatures, it was expedient, as much as possible to abstain from irritation; never forgetting the complicated circumstances which led to the disabilities under which the Africans laboured, nor the difficulties of removing them at all, much less with any degree of rapidity. Time was necessary to remove an evil which centuries had completed. He could not admit that the colonial assemblies had shown no desire to promote the interests of the slaves; but he nevertheless wished the House to stamp its opinion, that it was the true interest of the whites of the West Indies to reunit the existing disabilities. In his view, it was far wiser to wait until gradual improvement in education and property among the negroes had produced its influence on the colonial legislatures, than to call upon those bodies peremptorily to change their system at once, and to threaten them with the vengeance of parliament at home, if they did not instantly follow a course which might be abstractedly right, but wrong in its immediate application. What chance was there that laws would be carried into effect which were not voluntarily adopted, but forced upon the colonial assemblies?

Mr. W. Smith said, that the hon. member for Surrey had complained of the injustices of referring to circumstances which had occurred half a century ago. He should have entirely agreed with him, provided the act of 1761 had been repealed or materially amended in many of the islands; but the fact was, that, till very recently, that act had scarcely been at all altered for the benefit of the negroes. It was urged, that time ought to be allowed; but, had gentlemen forgotten, that it was now forty years since this question had been first agitated before the British legislature? He admitted that some amelioration of the condition of the men of colour had recently taken place; but, if it went on no faster than it had hitherto been, he feared that the present, and even the next, generation would pass away before the object was effected. The hon. gentleman concluded, by reading an extract of a letter from a British officer in one of the colonies, giving a familiar account of a marriage between a man of colour and a white woman, whom he was said to have “bought.” This phrase referred to the disparity of circumstances between the parties, and it was held by all persons in the colony, as one of the greatest acts of atrocity that had ever been perpetrated in the West Indies. He could, if it were necessary, adduce a multitude of other instances to show the degradation which the difference of colour occasioned in the colonies, out of which arose the impossibility to the coloured race of obtaining impartial justice.

Mr. Canning said, that, as no question had been raised to excite a difference of opinion, this debate might have closed with the remarks in reply of the hon. and learned mover, who had so fairly and temperately introduced the subject. In justice to the hon. member for Surrey, he felt it necessary to say, that his speech had not left the hearers, upon his mind, which it seemed to have made upon that of the learned member for Wincebussa. He did not understand that hon. member as defending, but as lamenting the system—not as contending that it ought to be permanent, but regretting the slow pro-
The progress of improvement. He confessed he rather augured from the hon. member's language, a fair disposition to meet this part of the subject with a desire, as far as human means could accomplish it, to get rid of all possible difficulties. But the speech of the hon. member for Norwich, and particularly the fact with which he had concluded, proved still more strongly, how much ought to be left to time and circumstances. If once an adverse disposition were created, it might be found impossible to accomplish the object. The hon. member had quoted a letter, giving an account of a union, or rather within it. The gentleman, that impartial justice should be done, however, for some member of greater weight than himself, to undertake it; but finding that no hon. gentleman was likely to do so, he could no longer forbear submitting his views of a question, in which the welfare and happiness of a large portion of the community were bound up. The poor-rates and pauperism had gone on, frightfully increasing, for many years. By the report of the Poor-laws' committee, dated May 1825, it appeared, that for England and Wales, the amount of poor-rates was in 1748, 689,000L.; in 1784 and 1785 about 2,000,000L. each year; in 1803, 4,000,000L.; in 1815, 6,000,000L. in 1818, 6,800,000L.; and in 1821, 7,200,000L. It was at present, a little more than 6,000,000L. On a comparison of several periods, the amount seemed to have doubled in every twenty years, while the population was found to have doubled itself but once in a century. The hon. gentleman went on to shew, that the present system of Poor-laws was destructive, not only to the independence and character of the labouring agricultural population, but, eventually, to the whole capital and interests of agriculture. He drew a comparison between the state of the poor in Scotland, as compared with their condition in England and Wales, and entered into various statements to show that their condition in Scotland was much better;
the charge of their support so much less, that it was only as one to sixty-eight, contrasted with the charge for England and Wales. He deprecated, in strong language, the fatal system adopted by the south and south-eastern counties of England, of paying able-bodied labourers wages, in so many cases, out of the Poor-rates, as one which tended not merely to the extinction of all industry and spirit among them, but which operated powerfully to sanction improvidence, and encourage crime. What was the cause of pauperism in England? Not, as had been idly contended, the extent of our manufacturing interests; for high Poor-rates and low wages were invariably found in our agricultural districts. Those gentlemen who were given to geology, as well as to legislation, would observe, that by drawing a line between the north-west and south-east part of the country, those counties which lay on the north-west side of the line, were coal and agricultural counties; whereas those which lay on the south-east were chalk and manufacturing ones. With the exception of Norwich, there was not one eminent manufacturing town on the south-east side of the line. As further proof that poverty was more prevalent in agricultural than in manufacturing districts, the Poor-rates were much heavier in the former districts than the latter. He would next refer to the committee of 1817. In that report it was stated, that the effect of the present system would be "to increase the amount of the Poor-rates, so that they would continue until the whole property of the land was absorbed, to the subversion of the order and happiness of society in this country." After referring to the increase of Poor-rates arising from allowing able-bodied men to come upon that fund which should be sacred to the infirm and helpless, he next called the attention of the House to the far better arrangements respecting the poor which were to be found in Scotland than in England, and the comparatively less prevalence of poverty in that country. Another important point of view in which to consider the comparative poverty to be found in the two countries, was, that the increase of Poor-rates was found proportionable to the extent and increase of crime. The Poor-rates of Scotland, taking the average of the last ten years, as compared with England and Wales, were in the proportion of one to sixty-eight, and the proportion of criminals in that time was as one to fifty-seven. The object of the bill he was about to propose was to remove the bounty to improvidence which the present system held out in the southern counties, in the payment of able-bodied men out of the Poor-rates, and to restore that natural order of things which would raise a man from a degraded dependence to one of independence. After quoting the opinions of two committees in support of his opinion, and referring to the opinions of Mr. Ricardo, Mr. Malthus, and others, as authorities to guide him rather than advance any opinion of his own, the hon. gentleman concluded by moving, "for leave to bring in a bill to declare and amend the law relative to the employment and payment of able-bodied labourers out of the Poor-rates." Leave was given to bring in the bill.

HOUSE OF LORDS.

Wednesday, June 13.

CORN BILL.] Lord Goderich said, he had been asked last night to explain what course government meant to pursue with respect to the Corn bill, in consequence of the decision which had been come to by their lordships. He had been asked, if it was his intention to propose, in any other stage of the bill, that the amendment should be rescinded; and on what day he meant to move the third reading. He did not then feel himself at liberty to answer those questions; but it was fit he should now do so. He felt that, after the decision which the House had come to, for the second time, on the amendment, any attempt on his part to induce their lordships to depart from that decision would be quite out of the question. He must now consider that the bill, as amended, had received the sanction of their lordships; and he had last night stated the grounds on which he thought the clause not only objectionable, but fatal to the measure. Under these circumstances, it was not possible for him to undertake to propose the third reading of the bill; and he, therefore, wished it to be understood that it was not his intention to proceed with it.

The Earl of Malmsbury could not regret that the measure had been abandoned; but he was still ready to meet his noble friend in furthering any project for amending the existing system. He should be glad to see the act of 1822 brought into
operation, by doing away the clause which prevented foreign corn from being imported till the price rose to 80s.

Lord Ellenborough thought that this suggestion of his noble friend deserved the serious attention of government. He feared, however, that the bill of 1892 was purposely kept suspended over them, to force parliament to adopt a worse and more objectionable measure.

Lord Oderich said, that the bill of 1892 was so much opposed to the present measure, that government could not bring it into operation.

The Duke of Wellington wished to know if there was any motion before the House? Though his noble friend had expressed his intention not to bring on the third reading on Friday, still the order was not discharged.

Earl Grey was desirous to state the motives by which he was actuated in the course which he had felt it his duty to pursue. It was perfectly at the option of the noble lord, if he thought the amendment vicious, to abandon the bill; but he wished to observe, that he did not support the amendment, as being opposed to the principle of the bill. He would never lend himself to the unworthy purpose—and he was quite sure the noble duke would not—of opposing indirectly that which he supported directly. He had voted for the amendment, thinking it to be an improvement; as tending to check the abuses which arose under the bonding system. Thinking, as he did, that the manner in which the bill was introduced, in a season of clamour, was highly objectionable—thinking, also, that the government was much to blame in listening to that clamour—thinking, too, that for the last six years corn had never risen too high—it appeared to him, that no case was made out for the immediate interference of the legislature. But, while he felt that many objections might be urged to the manner and time in which the bill was introduced, it became a question with him, whether he could give it his sanction, without too great a sacrifice of that interest which he was anxious to uphold. However, he acquiesced; but never with the most remote idea that, in any of the stages of the bill, the deliberative powers of that House should not be exercised; and, therefore, it was that he voted for the amendment of the noble duke. There was danger of a glut of corn in the market, and the amendment was intended to guard against it. An alteration had also been made, by which bonded corn was to be brought into the market, not at 63s., as originally proposed, but at 66s.; and this he thought a great improvement. Every other part of the bill remained unchanged. It was simply this alteration with regard to bonded corn that was objected to by noble lords opposite; and he did not think that, in their view, such alteration could be supposed so far to vitiate the bill, if they considered it beneficial in other respects, as to make them feel it their duty to abandon it. That the amendment (added the noble earl) is a partial contradiction to the principle of the bill, I admit. But I have, of late, heard much in this House of distinctions, where I can see no difference. I do not see any difference between absolute prohibition and a duty which shall be so high, under the name of a protecting duty, as to amount, in fact, to a prohibition. The amendment is in opposition to the technical principle of the bill; but are there no other parts of the bill which are contradictions of this principle? Is not the reciprocity clause a contradiction? Does not that give to ministers the power of stopping the introduction of corn? There can be no question of the sincerity of the noble lord in the course he has pursued: and I have no doubt that he pursues that course from a sincere conviction that he is only discharging his duty; but it is not a little extraordinary, that the amendment should be thought so to alter the bill as to make it necessary that it should be abandoned. I do not think that any noble lord who is held worthy of taking part in his majesty's councils, can act so unworthily as to abandon the bill for the purpose of exciting the discontent of the country. All I shall say is this, that if it should produce that effect, I shall be ready to meet it. I stand here one of a body which will always be ready, firmly and honestly, to resist such effects—which always considers anxiously and feelingly the interests of the people, even when it must oppose the people themselves—and which will never consent, under the influence of fear, to give way to clamour [cheers]. If I am told, that we run the risk of having a worse bill, I shall never suffer myself to be intimidated by any such threat; and, if a worse bill should be sent up, I am sure your lordships would pursue the course you have pursued by the present bill. You would consider it: and you
would amend it; and if you could not make it good, you would reject it. I am sure that any such measure shall be met by me with a firm opposition, and that I shall be prepared to do my duty to myself. I have said thus much, and I might say a great deal more. If there should come a contest between this House and a great portion of the people, my part is taken; and, with that order to which I belong, I will stand or fall. I will maintain to the last hour of my existence, the privileges and independence of this House [cheers].

The Marquis of Lansdown rose merely to answer the question of the noble duke. There was no question now before the House, and therefore any discussion on the subject was irregular. His noble friend had only wished to state his reasons for not moving the third reading of the bill on Friday; but as the order was not discharged, it was competent for any other noble lord to move it if he thought proper.

Criminal Laws.] Lord Tenterden, in rising to move the second reading of five bills which had come up from the other House for amending the Criminal-laws, said that they had originated with a right hon. gentleman (Mr. Peel), whose ability and exertions in bringing them forward could not be too highly commended. It was fortunate for the country when a gentleman of comprehensive mind, not bred to the law, turned his attention to the subject, for those who were bred to the law were too often, by habit, dull to its imperfections. He could not help thinking that the bills would be most valuable to those who were engaged in the administration of justice in the country.

Lord Ellenborough doubted not that these bills would be a very great improvement in the criminal laws of the country; but he thought it would be impossible, at that late period of the session, to go into an examination of their merits; as there were not less than one hundred and thirty acts which it would be necessary to look over. He therefore thought it would be necessary for the House to have an assurance from the learned lord, that he had consulted those acts, and felt satisfied of the expediency of the measures now proposed.

Lord Tenterden said, it would be presumptuous in him to give such an assurance; but a paper had been put into his hand, referring him to every clause in the new bills; and, in his opinion, the committee would be the proper stage for considering all the details.

The Lord Chancellor said, that the bills had long been under the anxious consideration of his right hon. friend, who had been assisted in his labours both by the learned lord, by himself, the late Attorney-general, and the present Solicitor-general.

The bills were read a second time.

HOUSE OF COMMONS.
Wednesday, June 13.

PAUPER LUNATICS OF MIDDLESEX.

Mr. R. Gordon called the attention of the House to the dreadful state of misery in which the Pauper Lunatics of the parishes of Mary-la-bonne and St. George's were situated. When the overseers of the parish of St. George visited Dr. Warburton's asylum, they found, in a room eighteen feet long, sixteen cribs, with a patient in each crib, some of them chained and fastened down, and all of them in a state of great wretchedness. On one occasion, a visitor having gone there, and reported that there was nothing objectionable in what he had seen, went again the next day, and discovered five rooms, in which the patients were in a most horrid state of misery. This he found out, although, when he was there the day before, he was informed that he had seen everything. The unfortunate persons placed in these cribs were kept there from Saturday until Monday; their food being administered to them while in them. The infirmaries were another subject of just complaint. When a medical person visited them, the patient was brought into another room, and put on a decent bed; for the infirmary was kept in so shocking a state, that the keepers were unwilling that it should be seen; but, as soon as the medical person was gone, the patient was re-conducted to the crib. He spoke of this asylum previous to the 26th of February, when it was visited by lord Robert Seymour. A temporary change for the better might have been since made; but what security had the House for its continuance? On the facts that he had stated, and others which showed still more the extreme wretchedness of the condition of the pauper lunatics of Middlesex, he
would first refer these facts to a select committee; and secondly, move for leave to bring in a bill for amending the 14th Geo. 3rd, ch. 49, and of extending its provisions to pauper lunatics. By this bill, he proposed to give further powers to magistrates, and to subject these asylums more to the superintendence of the overseers of the parishes, than they at present were liable. He would also propose that, in cases of the death of pauper lunatics, a coroner's inquest should be held, as in jails. In all asylums, where the number of patients amounted to one hundred, there should be a resident medical man, who should keep a diary of the medicines administered, and of the general treatment of each patient; a practice which had been attended with great advantage, in accounting for the cases of the deaths in the Penitentiary, and in assisting to check an epidemic distemper which broke out there.

The last alteration he would propose was, that convalescent patients should not, as in Dr. Warburton's asylum, act as attendants on the other patients. In that asylum there were two hundred patients, and only two male and two female attendants; all the business of the House being done by assistant patients. This was doubly injurious—injurious to the convalescent patients, as the business retarded their recovery; and to the other patients, as they were attended by persons not fitted properly to take care of them. The number of recoveries of patients in the vicinity of London was very disproportionate to the number of recoveries in other places, where there were proper lunatic asylums. For instance, in Norfolk and Gloucester, one half of the patients recovered; whereas in Middlesex not one tenth ever sufficiently recovered to be discharged.—The hon. member having remarked upon the disadvantage of a lunatic asylum being in such a crowded state as that of the White House at Hoxton, where there were not less than four hundred patients, concluded by moving—"That a select committee be appointed to inquire into the treatment of Pauper Lunatics in the county of Middlesex, to consider the propriety of extending the provisions of 14 Geo. 3rd, c. 49, to Pauper Lunatics, and of the consolidation of all acts relative to Lunatics, and Lunatic Asylums, and of making further provisions relative thereto."

Colonel Wood thought the hon. gentleman was entitled to great praise for having brought forward the motion. He cordially concurred in every word that had fallen from him. The means of accommodation for pauper lunatics was a great desideratum in the county of Middlesex; and he was happy to state, that it was the intention of lord Roberts Seymour to bring forward a motion at the quarter sessions, in July next, for the erection of a pauper lunatic asylum for the county of Middlesex.

Mr. Secretary Bourne thanked the hon. mover for having brought this interesting subject under the consideration of the House. The only doubt on his mind was, whether, instead of moving for a committee, it would not be better to proceed to legislate by bill at once; for the information which the hon. gentleman had collected was evidently of the best description. In fact he could himself confirm part of it.

Mr. Liddell approved of the motion, and complimented the hon. member for his exertions on the subject.

Mr. Spring Rice highly approved of the motion. He was persuaded that it would be found, that the present establishments were calculated only for the custody of lunatics, and by no means for their cure.

Mr. Alderman Thompson was desirous, if possible, that the report of the committee might be made in the present session. The rumours afloat, many of which, he had no doubt were exaggerated, demanded inquiry.

Mr. S. Bourne believed that some of the reports respecting Mr. Warburton's establishment were much exaggerated. Mr. R. Colborne, while he admitted that some of the reports in circulation were perfectly true, must say that others were much exaggerated. Mr. Warburton had always been ready to give every information in his power. He believed the only effectual way of remedying the evils complained of would be by building a county lunatic asylum.

Mr. M. A. Taylor declared that, in his opinion, there was not a chance for an individual confined in these asylums becoming convalescent. Many of them were sent to them by overseers of parishes, who bargained for the cheapest terms; and in some cases gave only 8s. a week. The hon. gentleman described the state of destitution in which some of these unfortunate creatures were left. A more horrible sight he had never witnessed. He trusted that some
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Humane legislative provisions would be adopted with a view to remedy the evils.

Mr. Estcourt wished the hon. gentleman would move for a general bill; which, having been introduced, might be circulated through the country during the recess; the result of which step would be the production of much more information than could be obtained by any parliamentary inquiry during the present session.

Sir F. Burdett declared that, in his opinion, there was no subject which more loudly called for interference than this. No persons stood in greater need of legislative protection than the unfortunate individuals under consideration. Being paupers as well as lunatics, they had a double claim on general humanity. He highly approved of his hon. friend's proposition; but he thought that the more extensive it could be made the more advantageous it would prove. Not only was it necessary to look to the manner in which pauper lunatics were treated in the establishments in question, but it was also highly expedient to place some check on the manner in which they were put under restraint. It appeared to him, that something more than legislation of mind ought to be required. It should be proved, that the aberration was one of a dangerous character.

Mr. R. Gordon said, he wished the House would permit him to pursue his original plan. That great mismanagement existed in lunatic asylums, was notorious. He would give a proof, in which one lunatic employed to take care of another actually scooped out the eye of the man upon whom he was employed to attend. If the committee were appointed to-morrow, he would submit to it by Monday the outline of a bill which he wished to introduce.

The motion was agreed to, and a committee appointed.

HOUSE OF COMMONS.

Thursday, June 14.

Distress of the Commercial and Industrious Classes of the Community.] Mr. E. D. Davenport rose and said: *Sir; I am fully sensible that the deep interest I take in the question about to be discussed, an interest totally divested of any personal or selfish motive—has involved me in an arduous task, for the due execution of which I have neither the abilities nor the practice requisite. And, as if this intricate subject had not difficulties enough within itself, I have to encounter others of an extrinsic and unusual nature; I shall have to contend not only with those who officially and perhaps naturally support all existing systems, but with others who are usually the no less natural allies of whatever has, primâ facie, a just, beneficial, or humane tendency; who seem to think that, because they support the existing government, therefore they are bound to abstain from inquiring into any mischief which occurred under that which preceded it—a very unusual act of respect for the names of a fallen foe, and one in which the very members of the recent administration so little sympathise, that they were, not forty-eight hours ago, legislating with a view to neutralise a bill which they had themselves not many days before concocted.

But, though I may be denied encouragement in certain quarters, where it is seldom refused to such as devote their time and labours to improve the lot of their suffering fellow-creatures, by one thing, at least, I am supported, and that is, by that paramount sense of duty which has been, and if it please God shall be, the sole rule and guide of my conduct whilst I have a seat within these walls.

To those who have witnessed the obstacles opposed to this motion, it must be quite unnecessary to apologise for a delay, on my part involuntary; I have now, therefore, only to request the patient attention of the House to a subject dry enough in itself, and which I will defy the art of man to enliven, whilst I endeavour to expose the evils and dangers of a system to which, in all its ruthless rigour, some members of the cabinet (and, thank God, the sentiments of the majority are as yet unpronounced) have expressed their determination, pertinaciously, doggedly to adhere. And when it is remembered that I am about, solemnly, to call upon you to inquire into the causes of a financial convulsion almost without parallel in civilised times, and the political opprobrium of the age and lights we live in, a convulsion which, with its disastrous consequences, together with the misconceived remedies applied to it, has hurled thousands of in-
distinguished tradesmen from a state of competency and comfort, to one of necessity and toil; which reduced tens of thousands in the class below them to a state of absolute destitution—ruinously affecting property of every kind, and even the public revenue itself, I trust that matter of such awful importance will force itself upon the consideration of the House, in spite of the unskilful manner in which I am but too well aware the subject is likely to be presented to your notice.

I shall put in evidence, and from their own mouths you shall judge them, the inconsistency and vacillation of those under whose auspices the country was reduced to this deplorable condition; I shall show that this condition may continue, or get worse, or improve, precisely according to the will of the government and Bank of England, but that it can only mend (under the present system) by means calculated to produce another crisis of greater or less intensity, according to the degree in which the present relief may be administered.

Of this re-action I conceive the seeds to be already sown—attempts are made to force the circulation of Bank paper—we may soon expect to see a rise of prices followed by an exportation of gold, and its usual and necessary consequence.

Sir, we are attempting impossibilities, and trying to reconcile contradictions.

We flatter ourselves, that, although dying under the operation, we are, by this unsound and fluctuating system, maintaining national faith, whilst the slightest attention to the very terms of the proposition will show that we are acting in the grossest violation of it, for what is the meaning of faith in this case but maintaining the spirit of contracts? and what is the nation else but the people, composed of debtors and creditors—of nineteen debtors to one creditor: do you, then, call it keeping faith to sacrifice the nineteen to the interest of one, by making them pay a much larger sum than they borrowed of him?

Some, again, think we can support public credit in a course which endangers the revenue, on the punctual receipts of which that credit alone depends—four millions having actually fallen short this year. Others fancy they can with one hand tender protecting prices to British corn-growers, while with the other they are withdrawing the money, the very elementary matter of which their remuneration must consist. Others—men too who are candid enough to admit that water must find its level—that it cannot stand still on a declivity—and who know that we use the same medium of value with the continent, yet seem to imagine that we can enjoy a permanently and much higher rate of prices than other nations, though there is no law to prevent the metals which measure those prices from leaving the country. But of all the contradictions, that which I can least account for is, that men of great talent and constitutional spirit—men who would leap from their skins at the bare idea of imposing a tax, however trifling, upon the people, without their knowledge and concurrence, should actually appear to give their tacit assent to the surreptitious imposition of taxes, amounting to many millions; for where is the distinction between a direct imposition of new taxes and that virtual increase effected by raising the standard of the money in which the old taxes are paid? In short, Sir, we are bent upon what the hon. member for Callington (Mr. Baring) last year, truly called a "screwing and grinding course," tending to a state of anarchy, of which the symptoms are already discernible in the various petitions which have recently encumbered your table; some praying for, others against, Corn-laws; some for, some against, the wool-growers; some from the shipping, some from the manufacturing interest; some praying for a minimum of wages, others for a maximum on inventions; for such are their very natural, though fruitless complaints against improved machinery. All these plainly demonstrate the severe pressure of distress affecting all the working classes indiscriminately, and a resolution on the part of the poor sufferers to bear their calamities patiently, so long as the ingenuity of man can furnish them with the hope of a cure for what they believe to be a particular, but we know to be a general disorder. But the time for petitions is passing away; and something must be done to relieve men who are actually begging for means to leave a country where, to its disgrace and the no great glory of those who have presided over its destinies, the labourer is no longer deemed worthy of his hire.

If I succeed in getting a Committee of Inquiry, I pledge myself to prove that the present uncertain and fluctuating system of currency is detrimental to every description of property, whether it be land or
merchandize: that its tendency is to strain the sinews of credit till they break, and involve the national creditor in ruin; that the operation of this system at times aggravates the pressure of taxation, and is as beneficial to the receivers as it is oppressive to the payers of taxes; that the existing taxation, and the standard of value and free trade, cannot, without some change in the machinery, be simultaneously maintained; that the concealment from the public of the Bank's transactions serves to enrich those who are in the secret, and to pauperise the fair trader, who knows nothing of what is to happen; that the connection between the government and the Bank is dangerous to the latter; that the public have been deprived of advantages, amounting to many per cent in the value of property, by the removal of a joint standard of silver, and also by the repeal of the law which prohibited the exportation of the precious metals; and finally, that the consequence of all this is an alarming increase of distress and crime; and as this subject may come more home to the feelings of honourable members than other parts of the subject seem to do, I shall dwell on it somewhat more at length.

The prevalence of crime in a state will, at all times, bear a close relation to the condition of its inhabitants. The happiness and comfort of the working classes, and that good conduct which is but the natural consequence of them, depends on that which best furnishes a test of the art of governing—the keeping up a steady demand for their labour. Whatever suspends or interrupts this demand deprives the labourer of his food, which, if he cannot obtain fairly by the sweat of his brow, he will infallibly resort to other means; for the cravings of nature will prove stronger than the fear of your laws, though they be as wise as Solon's, or as bloody as Draco's. What is it, then, which excites the artisan to work or the capitalist to employ him, but that in which consists the wages of the one and the profit of the other. Whenever, therefore, the king, whose prerogative and duty it is to supply his subjects with a quantity of current money sufficient for maintaining their industry and meeting the taxation which he levies—whenever he, or rather his ministers, materially reduce the supply of money in the country, they surreptitiously increase the pressure of taxation; which, being ultimately all paid in labour, then requires an increased quantity of such labour in payment; they diminish the wages and food of the workman, and fill the gaols as effectually as if they legislated with these specific objects in view; so that any bill like those of 1819 and of last year might fairly be entitled "An Act for diminishing the labourer's food, for surreptitiously increasing taxation, and for the better filling his Majesty's gaols in Great Britain and Ireland."

I do not mean to deny that there are accessory causes. I know very well that, whilst population has been increasing, a counteracting principle has shown itself in improved machinery, which has diminished the demand for manual labour in the same (or a still greater proportion) as the hands themselves have multiplied; but I deny that this has operated more than as an accessory; for the weavers who very lately got but three shillings for weaving a piece of calico (for which sir Robert Peel, not many years since, gave them nearly three times that sum) got the double of this in 1825, or previous to the last tampering with the current.

Having thus traced the distress to its true cause, I will now say a word or two on the fallacies to which it is attributed. Some have actually attributed the increase of distress and crime to the Game-laws, as if the severity of those laws acted as an inducement to infringe them. Neither is the increase of these offences to be attributed to any greater demand in the market for game, but rather in the only market where, latterly, there has been any briskness—the market of empty stomachs.

Next we hear of the high price of corn assigned as a cause of distress—high with reference, I presume, to former years; but how stands the fact? Why, that with the exception of the years of unparalleled agricultural distress, in 1811-2 and 3, the price of wheat never was so low as it was last winter. In fact, the price has been descending for the last two years, in proportion to the increased clamour against its exorbitancy; till it had, about two months ago, actually reached 53s.—the precise point of depression which the great professor of political economy, Mr. M'Culloch, himself, had, in a recent paper in the
Edinburgh Review, announced to be the beau ideal of reduction, to the attainment of which all our efforts, political and economical, ought to be directed. Since, then, such was the price of corn at the time when the great flight of petitions against high prices reached your table, either the learned professor and his flock are at issue upon a leading article of faith, or the petitioners thought it was a pity so much eloquent invective and sound doctrine should be wasted, merely because the grounds of it had somewhat treacherously given way from under them.

It was the sudden fluctuations, rather than the height of prices, which lurched the agricultural poor during the war, leaving them stranded upon the poor-rate, and somewhat of alarm in a condition which no man of common concern, and somewhat of alarm; a state, however, from which I greatly doubt the power of any further reduction of which corn is still capable (without endangering the supply) from relieving them; though I can readily imagine how, by checking the demand for their labour, such reduction might aggravate instead of relieving their unhappy lot.

If the price of corn has recently increased the distress, it is the low price; the farmers have, last year, lost almost all their crops except that of wheat; and now we find that, in several counties in England, young men in full health and strength are actually employed at two shillings and sixpence and three shillings a week to work on the high roads; if they have families, the law provides better for them, otherwise they are cheated of three-fourths of their fair earnings. Can any man wonder, under such circumstances, at the increase of distress and crime? May it not rather be a question, how long crime will continue to have any terrors with those who have no alternative between the commission of it and starving? From whatever causes their distresses have arisen, whether, as I think is demonstrable, from a fluctuating currency, or whether the debt of the nation, out of which the monied interest has risen, and from the consequences of which it is comparatively exempted, presses with undue weight upon the labouring classes, we are bound as Christians, as men, if we value the character of our country, of parliament, or the government, to have some prompt and permanent remedy provided, especially in a country where there is a Bible Society wherever there is a baker's shop (and much the most accessible of the two), and where the sufferers may have a ton of spiritual, easier than an ounce of corporeal, sustenance.

I have here a synopsis of the monetary changes which have occurred in the last forty years, which I will not read to the House, for though I have not been sparing of my own trouble, I am anxious to avoid any matter that can possibly be omitted; I shall merely allude to two or three epochs, out of no less than thirteen alterations which took place during that period, all characterised by the same symptoms, to show there was nothing very wonderful or new in these crises, nor was there any lack of evidence as to the necessary management of the machinery previous to the late convulsions; on the contrary, there were abundant symptoms to denote every stage of the disease, and to suggest the remedy in time.

It will be remembered, that some years after 1797, when Mr. Pitt and lord Grenville having to choose between peace and paper money preferred the latter, the paper depreciated to such a degree on the contrary, there were abundant symptoms to denote every stage of the disease, and to suggest the remedy in time.

The bullion committee assembled in 1810; and, as it is to the errors of this committee that the country may attribute most of its calamities, I shall beg to say a few words concerning its proceedings. They, however, came to this sound resolution—that the country ought, at its convenience, to return to cash payments; and the next question was, the time and degree to which this resolution should be acted on. Here, however, they showed a want of due patience and investigation; they were so overjoyed at the discovery of their mare's nest—that it was right to put a stop to injustice in one way—that they committed, from sheer want of proper caution and information, an act of ten-fold greater injustice in another. They at once recalled the precious metals, and set them up at their old standard, without any inquiry as to how gold, of which they had lost sight during fourteen years, had still maintained its character as an invariable measure of value. They seem not to have attended to the meaning of the term standard, which I apprehend means that commercial nations agree to recog-
nize as a common measure of value or ex-
change for their commodities. The com-
mite, therefore, might have known, that
the same nations which, by giving their
consent, raised metals into a standard of
value, could degrade them by withdrawing
that consent. The notorious fact is, that,
at the time this committee were proposing
to restore these metals, they were actually
discarded by three fourths of the com-
mercial nations of Europe; besides America,
our own country, Austria, Russia, and
Prussia, had discontinued the use of them
in currency; and it is a matter of fact,
that the degradation that gold had in conse-
quency undergone, by being thus
driven out of these countries into a
restricted sphere of action, was such, that
an ounce of gold now will buy double
what it would have done in those days.
During five years of our paper money
there is no instance of a single purchase
made in gold bullion recorded in the prices
current; so completely had we lost all
sight of this, as they termed it, invariable
standard of value.

These practical and necessary details
were disregarded by the committee, and
instead of them were routed out old musty
acts, and resolutions of parliament, show-
ing how, in the 4th of George 1st, "parlia-
ment would not alter the standard of gold
and silver." Why should they? the
country had never at that time abandoned
its standard or its metallic money, and
there was no need of all this virtue. How,
then, could this determination of parlia-
ment, under circumstances totally differ-
et, apply to justify the restoration of a
standard of which we had taken our leave
fourteen years? In defiance of truth and
sense, I find these words in the speech of
the chairman of that committee, a person
who was usually remarkable for great
knowledge and talent. "The standard
value of gold cannot possibly fluctuate as
a measure of exchange under any possible
change of circumstances." Now, there
were several circumstances so possible as
actually to have occurred; to say nothing
of the increase of a paper substitute, will
not the "standard value of gold, as a
measure of exchange," be affected, so as
to cause considerable variation, by the
different commercial nations (as I have
already shown) discontinueing to use it in
currency? will it not be affected, like any
thing else, by a long-continued interrup-
tion in the supply of it from the mines?

Will its value not be raised by those com-
mercial nations which had given up the
use of it suddenly resuming it in their
currency after so long a period as thirteen
or fourteen years, since which the supply
from America has been comparatively
nothing, while on the other hand the
population requiring these metals has
every where been increasing? This ex-
cites a very important matter for consider-
ation, to which I beg the attention of
the House. It is well known that the
debates in the parliament of France have
run lately upon the distress prevalent in
that and I may add other states of the
continent; a subject upon which I have
here a condensed extract from a work
written by Mr. Florez Estrada, who I
believe, held some high office in the
administration of Spain under the Cortes.

"During the five years previous to
Napoleon's invasion of Spain, when the
whole proceeds of the mines were secured
to Spain by strict monopoly, the Mexican
mint alone furnished, annually, twenty-
eight millions of hard dollars, and as much
more from the united product of the other
five great divisions, besides three hundred
thousand ounces of gold from Brazil;"
This he states as taken by himself, from
documents in the financial department of
Spain; and for their being the best data
in existence he pledges himself. He
states, "that the annual amount of late
years imported into this country (the only
one in Europe where specie could be im-
ported, being the only one in commercial
connexion with these colonies) is not
one eighth of the above. He asks bow
such results as the commercial stagnation
experienced in France, Austria, and
Prussia, as well as in England, could fail
to follow such causes? results which, this
author says, he predicted in 1818."
now slave-labour has ceased; that population is deficient and lazy; that labour is so odious that great profits prove no stimulus to it; and that, were the insecurity of the mines less than he found it, none can rationally expect that where millions of fertile acres are unappropriated the people will delve into the bowels of the earth for wealth, when they are heedless of that which nature offers them on its surface. He illustrates the folly of our mining speculations, by stating—

that under the multitude of obstacles, the iron for working the mines would cost its worth in silver by the time it reached its destination, whereas the silver it extracted would not be worth its weight in iron to the English speculator by the time it marched this country.

Estrada says, that in a country like this, possessing all the necessaries, and heedless of the luxuries of life, the balance of trade with the old countries must for long be in its favour; and if such be the case, we may have to send her our metals instead of receiving them from her as formerly. The principal facts contained in this paper must have been known to the British government many years ago, and they are well entitled, now more than ever, to its serious consideration. Notwithstanding these circumstances, the chairman of the bullion committee goes boldly on to say that "in England, when gold constitutes the standard (uttered fourteen years after it had ceased virtually to do so), it is impossible that any change can be produced in its value as a measure of exchange"—what, not if the whole world gave up the use of it as money? And immediately after he allows that "the great and paramount standard of all value is corn," the average price of which, in the twelve years preceding 1797, was 52s. the quarter of wheat, and in the twelve years following, fifty per cent higher; namely, 79s.; measured by what? Why by this invariable standard of gold, which "no circumstances can alter:" and he proceeds to show how the legislature recognised these changes, by altering the ratio of protection against foreign importations at different times subsequent to 1793.

Having endeavoured to show the theoretical lights diffused on the subject by the bullion committees, it is but just to exhibit the no-less-distinguished wisdom of their opponents, the practical men of those days. In the same year (1811) that the above debates occurred, the following resolution passed the House: "That Bank notes are held to be equivalent to the current coin of the realm in all pecuniary transactions to which such coin is legally applicable;" and this celebrated resolution was passed at the very time that the government which moved it were themselves buying up guineas for exportation, not at par with Bank paper, as their resolution falsely stated, but at twenty-eight shillings a piece!

It is satisfactory to turn from all this falsehood and inconsistency, to the sound opinions delivered by Mr. Henry Thornton: "To change," says he, "the standard, when the paper has long been depreciated, is only to establish and perpetuate a currency of that value to which we have long been accustomed, and may also be made the means of precluding further depreciation. The very argument of justice, after a certain time, passes over to the side of deterioration. If we had been used to a depreciated paper for only two or three years, justice is on the side of returning to the antecedent standard; but if eight, ten, fifteen, or twenty years, have passed since the paper fell, then it may be deemed unfair to restore the ancient value of the circulating medium, for bargains will have been made, and loans supplied, under the expectation of the continuance of the existing depreciation."

In May, 1810, Mr. Peel, speaking of the distress in 1816, admits "that the commercial speculation which led to the crisis in 1816 was the consequence of an over-issue of paper currency, is a fact beyond dispute." Why did he not admit the same causes last year, instead of attributing the mischief to "speculation and country bankers," &c.? He afterwards, wishing to show that the more we are taxed the less money we want, makes an erroneous estimate of the currency of 1792 compared with 1809. "If there was any truth in the argument that the circulating medium should increase with the trade, taxation, and revenue, it should have varied directly in that year; the fact was, however, that it varied inversely:" and he takes the circulation of 1792 at thirty-six millions, and that of 1809 at nineteen millions, reckoning the Bank paper only, and leaving out the small sum of near twenty millions of country notes.
Such were the lights, and such the information, on which the "honest bill of 1819 passed through the cheers of hundreds who knew nothing of what they were doing, and whose cheers are now called in as solitary evidence of its justice or expediency. Mr. Ricardo told them, "the difficulty was only raising the currency three per cent in value. He was quite astonished that such alarm prevailed at the reduction of perhaps one million in four years"—the eventual reduction being sixteen millions in four years. Lord Grenville said, "the utmost loss from cash payments was three per cent, and we had sustained changes even amounting to five per cent; he thought cash payments might safely be resumed at the end of the year."—"Vicit digna viri sententia:" he had, twenty-two years before, depreciated the currency fifty per cent, and after plunging the nation into a debt of eight hundred millions, in that depreciated paper, exacts payment, in sterling money, of double value, of value not raised "three," nor thirty, but above fifty per cent. Yet warnings were not wanting; and among others came a petition from the merchants of Liverpool, in 1821, of which the following extracts are worth notice in contradistinction to the darkness prevailing in this House:

"Your petitioners cannot refrain from stating, that the inquiry which led to this determination to resume cash payments on the part of your honourable House, seemed rather directed to the capability of the Bank to pay its notes in specie than to the capability of the country to sustain such a derangement and loss of property, and to meet, at the same time, its fixed and positive engagements with the public creditor.

"That there can be no doubt that the ancient standard may be resumed, if all considerations as to the consequences be disregarded; but your petitioners humbly submit, that the attempt to restore it has already created great distress, and that a further prosecution of the plan will produce a greater mass of suffering than was ever produced by any other measure; and that greater injustice will be done towards individuals, and ultimately to the public creditor, than by any plan of state policy which has hitherto been pursued in these kingdoms.

"Your petitioners beg leave to state, in support of this opinion, that since this act passed, the trade, the commerce, the agriculture, and the manufactures of this country, have suffered grievous depression; that, with some few exceptions, they are still declining, and are still unprofitable; that a diminution of imports and exports has not been attended with those beneficial results which a cessation from over-trading was expected to produce; that a considerable proportion of the mechanics and labouring husbandmen, in different parts of the kingdom, are either without work, or without wages sufficient for the sustenance of life; that the poor's-rates are oppressive, and cannot generally be diminished without endangering the peace and safety of the country; and finally, that property of nearly every description is still lessening in value.

"They conceive, that of all the existing contracts, except such as arise out of commerce, and expire on short credits, the major part has been made between 1797 and 1819; that the proportion of lands, houses, and other property mortgaged, and subject to charges for portions and annuities, is as three fourths to the whole, and as one half to the value; that the average term of takings at rack-rent may be considered five years; and further, that bonds, annuities, salaries, and pensions, still remain in operation.

"That this, then, is the situation of the country, after a twenty-two years' war and suspension of the ancient standard, cannot in substance be denied; and your petitioners look in vain for the benefits which the wisdom of your honourable House doubtless meditated in the act for the resumption of that standard; they see in that measure an attempt to remedy the mischief caused by a departure from fixed principles, by sacrificing the property of many to the advantage of a few, and for no other purpose, as your petitioners conceive, than to re-establish a standard to which comparatively few contracts have any reference.

"Your petitioners, therefore, humbly beg leave to approach your honourable House, for the purpose of stating their opinion, that the general interest of the community requires an immediate lowering of the standard of the realm, as calculated to lead to the only practicable remedy for those difficulties in which the people of this country have been involved by the abandonment of the ancient stand-
ard in 1797, and by the attempt now making to restore it.”

In 1821, a committee was appointed to inquire into the national calamities brought on by the bill of 1819; but whenever their inquiries began to touch upon the true cause, the tampering with the currency, a right hon. member is said to have been always ready to check such investigations, by stating that “parliament had already decided the currency question.” Now, I should be glad to know what would be said of a consultation of physicians, called to inquire into an invalid’s case, where the leading doctor should protest against feeling the patient’s pulse? Yet the state of the circulation of money is, in the complaints of the body politic, of the same importance as the circulation of the blood is in those of the human body. There is in one of Molière’s plays a celebrated consultation of doctors, where they agree that it is better the patient should die according to scientific rules, than recover under a violation of them; but here is a still worse case, where the faculty decide against any scientific course of ascertaining the disease.

In 1822, the cries of the people forced the government to devise some mode of affording them substantial relief, and with that view all imaginable means were adopted professedly to increase the circulating medium. Seven or eight measures of one million and a half upon mortgage, discounting the RIM, renewal of the One-Pound-Note principle, that the Bank should regulate all imaginable means were the government to devise some mode of changes producing the almost instant excitement which they had in 1825 near ten millions of the Dead-weight contract, the discounting of stock, and of seven hundred thousand pounds in 1822, to maturity in the autumn of 1825, providing for one, according to the security which prosperous times, or times announced to be such, never fail to inspire. It might then have been expected that they would have kept a vigilant eye on the proceedings of the Bank, after they saw the usual symptoms of a disease which past experience must have informed them was drawing towards a crisis. For there were, not only the ordinary forerunners of plethora— the high prices of stock, and of commodities—the low rate of interest—the abundance of money, and consequent speculation—but the safety valve itself had given them notice of the approaching danger by the long-continued exportation of gold. The exchanges, which had been partially adverse in the spring of 1824, were decidedly so in the summer of that year, and continued so for fifteen or eighteen months. Did they then compel the Bank to call in its paper money in order to turn the tide, or diminish its force? No! the House will be astonished to learn that they actually allowed the increase of that paper which had already been proved to be excessive; and the document recently laid upon the table shows that, even as July, 1825, the amount of Bank-notes in circulation was at the highest, having actually reached twenty-one million seven hundred and sixty-three thousand pounds!! Such was their surveillance over an establishment, on the prudent government of which depended the whole machinery of the state, that they had in 1825 near ten millions of money of one sort or other in circulation more than in 1823, and began to contract their issues fifteen months too late.

Yet why should we fear? The ministers were many of them the friends, and all the disciples, of Mr. Pitt; they had sailed with the pilot who had weathered the storm, and could surely conduct the ship through smooth water. On February 3rd, 1824, the King’s Speech “congratulates Parliament on the prosperous condition of the country.”—“An increasing activity pervades almost every branch of manufactures, agriculture is recovering, and, by the steady operation of natural causes, is
gradually re-assuming that station to which its importance entitles it." The dead weight, the money advanced on mortgage and stock, and the other five or six manoeuvres, were "natural causes." And in June, the king in person, says, "He had the greatest satisfaction in repeating his congratulations on the general and increasing prosperity of the country." On February 3rd, 1825, the Royal Commissioners say, "We are commanded by his Majesty to express to you his gratification at the continuance and progressive increase of that prosperity on which his Majesty congratulated you on the opening of the last Session of Parliament." — "There never was a period in the history of this country, when all the great interests of it were at the same time in so thriving a condition." And on the 6th of July, 1825, the King's Speech again alludes to "that general and increasing prosperity on which his Majesty had the happiness to congratulate you on the opening of the present Session of Parliament." Yet, at the very time the ministers were putting these cheering words into his Majesty's mouth, they had, or might have had, in their pockets, the Custom House returns, shewing an exportation of twelve millions of treasure in the course of the fifteen previous months; and, although so much of the convertible matter was thus disappearing, we had lecturers telling us all manner of valuable truths, but omitting just this—that we were upon the brink of a state of barter! When Mr. Ellice, then member for Coventry, expressed his alarms at what he appears clearly enough to have foreseen, he was thus answered: — Mr. Peel (June, 1825) said, "He was sorry the hon. member for Coventry thought the circulation in so bad a state, and prophesied so darkly of its future condition."

Soon after all these fine speeches came the catastrophe of which I shall merely give in evidence the King's Letter, showing the state of the country last autumn; the eleven thousand four hundred tradesmen who were, last year, by one or other process of insolvency, put hors de combat; and a letter I have in my hand from the mayor of Macclesfield, containing under thirty thousand inhabitants, dated last October, and stating the poor and destitute to amount even then to eleven thousand odd hundreds; receiving, and mainly subsisting by, charity.

The merits of a system are to be judged by its fruits. Suppose any honourable member, having an estate at a distance, was to receive a letter from his agent in the spring, announcing that all classes of his people were in the greatest prosperity; and another in the summer, stating that this prosperity was still increasing; and that a short time afterwards, a third letter should reach him from the same quarter, stating that his people were all ruined; that an army was collecting to keep them down, and a subscription to keep them alive; that "they were within forty-eight hours of a state of barter;" would not such a person think it due to his suffering dependants to institute a serious inquiry into the cause of so much misery and ruin, in order to provide against a recurrence? With what countenance, then, did the stewards of the public meet their constituents? With acknowledgments of past errors and inconsistencies? No! they accused the ruined merchants with having produced their own destruction; by speculating with the means which were put into their hands; the country was, forsooth inundated with paper money—the speculative matter—and the parties were expected not to avail themselves of it!!

I do not defend the speculators; but I do say, that to accuse men for buying that which they could not afterwards sell, owing to your tampering with the currency, is to add a cruel insult to an irrepiable injury.

When the country banks were suddenly thrown upon their securities, with what face can they be reproached with a misfortune only brought on them by their belief in the boasts of the ministers? Moreover, if all are to blame who cannot withstand the simultaneous rush of their creditors requiring gold in payment of their deposits as well as of their notes (demands which the currency of no country can satisfy), on what footing stands the debt due from the government to the Bank of England? Could that be paid in gold on demand? I apprehend not; and yet the government will hardly plead guilty to those charges of "speculation, insecurity," &c. which they so lavishly deal out against these more feeble, but not more faulty, establishments.

* See Mr. Huskisson's Speech, early in 1826.

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The country banks have been the natural channels through which the industry of the country has been, of late years, fed; when these channels are choked up, production, the source of consumption, ceases, and the consequence is, an apparent, though not real, redundancy; and it ill becomes those who have withdrawn the stimulus from labour to complain of the languor consequent upon their own acts. You have, as it were, mutilated half the labouring population, and then complain of over-population, and talk of exporting the excess to Canada; but I advise my right hon. friend, the Colonial Secretary, whose zeal has, in this respect, I think, outrun his better judgment, to arm his emigrants with shovels and forks of shovels, as I have some reason for believing, that they will prefer the factories of the United States to delving in the wilds of Canada.

On February 2, 1826, the King's Speech notices, "the temporary check which commerce and manufactures may at this moment experience;" why, Sir, this temporary check is not over yet: and Lord Liverpool states afterwards, in debate, that the convulsions in the pecuniary transactions of the country "had not been unexpected (curious circumlocution) by him and other members of his majesty's government." He assigns all the mischief to "speculation," and, of course, is not willing to trace the disaster to its source; namely, to Mr. Peel's bill operating on those measures which he and his colleagues adopted to relieve agricultural distress in 1829.

In their correspondence with the Bank, the ministers say, "there can be no doubt the principal source of it (the distress) is to be found in the rash spirit of speculation which has pervaded the country for some time, supported, fostered, and encouraged by the country banks." In reply to which, Mr. Attwood observes, "The failure at once of six or seven London bankers, from whatever cause it had arisen, was indeed a circumstance of great importance, and was well worthy the serious inquiry of parliament. No instance of a similar event was to be found in the pecuniary history of the country. Those houses held in their hands the active capital, the reserve for payments the cash and funds of various kinds, more than a hundred country banks. As was it a matter of surprise that, an circumstances so calamitous, many of those establishments had themselves failed in the regular discharge of their engagements? It was rather matter of surprise that no greater number had failed, and that of those who had been compelled to do so, the circumstances of so few were found in such a state as that their creditors could sustain any loss [hear, hear]. These events afforded a proof, not of the unsound character of the country circulation, or of the necessity of legislative interference with it, but, on the contrary, that the country bankers were, as a body, as he was satisfied was the case, men of solid property, whose affairs were, in general, conducted with prudence. And, what had been the course of the right hon. chancellor of the Exchequers? On the first night of the session, he had stated, with great confidence, that their distress had arisen out of the wild, extravagant, and unmeasured manner in which the issues of the country bankers had been of late years increased. Did he mean to say, that the country-bank circulation in the agricultural districts, the mining, the manufacturing districts, had any connexion with those speculations, or those speculations with the country circulation? They were confined to London, to Liverpool, where no country notes existed; to Glasgow, where the Scotch system existed in all its perfection [hear, hear]. Consider, then, the consistency of the right hon. gentleman. He founds the country ruined by over-trading. That was the idea of the President of the Board of Trade. A great empire brought to the brink of ruin by speculations in pepper, spice, dry goods, and all the balderdash of the retailer; and on these grounds he proposes two measures—to do what? one to establish Scotch banks, the greatest incentives to over-trading ever invented [hear!]; over-trading going on more widely in Scotland than even in England, and the distress there being as great; and the other to destroy one-pound notes; the distress of Lancashire, where none of them existed, being greater than in any other part of England, and which description of paper, only three or four years ago, he himself proposed, or supported, a bill to continue, in the cause of sta...
which it was attempted to conceal the truth from the public. "Over-population, and too many months, to-day; over-farming, and too many leaves, to-morrow; over-trading, while half the population are but half employed, and their houses and persons half asked-too much paper to-day, too little paper to-morrow, too much paper again, almost before the morrow is gone! Speculation! fictitious capital! Change from war to peace, although the peace opened twenty nations to our trade. It is thus, from too much attention to 'speculative matters,' that we have been banded about from error to error, and from delusion to delusion."

Will it be believed that, with a full knowledge of the evil of such a system, the owners of land, or of any other commodity, will suffer their property to be any longer spoliated with at the pleasure of ministers and Bank directors? Is the industry and food of the people to be sacrificed every two or three years at the shrine of the Bank Charter? So long as this system lasts, I should object to any increased severity being used towards bankrupts; for how can you, with justice, act severely towards men who are exposed to sudden ruin, by a process probably beyond their comprehension, but certainly beyond their control. So long as such a system lasts, I venture to assert, that no man can tell either what he possesses or what he bequeathes.

It is enough for me to expose the demagogic system: I have nothing to do with the remedy. Whether you reduce your taxes as your standard, or fix the amount of your paper, to me is personally a matter of supreme indifference. His majesty's ministers have gratuitously brought the state vessel into port, and with them rests the fearful responsibility of her safe extrication. If, however, we are to embark on a voyage of short allowance, one thing is indispensable; namely, that we should all share alike; there must be no Benjamins in the mass. We cannot restore millions of property confiscated from farmers and mechanics, but we can restore to the country that portion of official salaries which was added expressly as account of a depreciation of currency, now no longer existing: and, if we have the currency and the peace, we must have a nearer approximation to the wages of 1792.

I have here a slight specimen of the alteration which has taken place in the rewards of office, since that time:—

**Ordinance—full pay.**

1792.

<table>
<thead>
<tr>
<th>Secretary to the Board</th>
<th>£210</th>
<th>£1,663</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Clerk to Surveyor-</td>
<td>----</td>
<td>----</td>
</tr>
<tr>
<td>General</td>
<td>427</td>
<td>1,138</td>
</tr>
<tr>
<td>Assistant Ditto</td>
<td>200</td>
<td>825</td>
</tr>
<tr>
<td>Chief Clerk to Clerk</td>
<td>300</td>
<td>1,086</td>
</tr>
<tr>
<td>Ditto to Principal Store</td>
<td>200</td>
<td>950</td>
</tr>
<tr>
<td>Keeper</td>
<td>200</td>
<td>950</td>
</tr>
<tr>
<td>Ditto to Clerk of Delivery</td>
<td>800</td>
<td>835</td>
</tr>
<tr>
<td>Ditto to the Treasurer</td>
<td>100</td>
<td>737</td>
</tr>
<tr>
<td>Ditto to Board of Ordinance</td>
<td>200</td>
<td>1,177</td>
</tr>
</tbody>
</table>

This is a mere sample. Whenever these salaried (as, if the present rigorous course continues, they must indefinitely shall) come under revision, it will be for ministers to show by what right they have given a small means to the public, and kept the large one for themselves. It will then be for the late Secretary for the Home Department to explain why he made himself and his colleagues, and underlings in office, exceptions to that detesting distress which his measures have scattered over the rest of the community: why, professing to restore the ancient standard of value, that standard, severe as it was, has been exacerbated to the public to the amount of ten or more per cent., by depriving us of the option of paying in silver, and also of that law which (whether good or bad, is not the question) gave us facilities in the price of commodities, by restraining the melting or exporting the coin of the realm. It will be for him then, perhaps, to state why he and his colleagues, the President of the Board of Trade, have not redeemed their pledge made to the member for Calgar-lington, to consider his suggestion about silver, and which seemed to flash upon his mind as a new idea—the restorer of our currency, the rival of Elizabeth and Edward 3rd, was, in 1826, so "consider" the silver standard!

If I am asked whether there are no means of alleviating the suffering condition of the people, I answer, confidently, that there are. That by restoring to the public the option of paying in silver, and either the law or (if the law be bad) an equivalent for it, which stopped the export of the precious metals, a great relief would be obtained. If palliatives will not avail, you must resort to stronger measures; but do what you will, reduce your standard or raise it—make but your currency invariably, not overfowling one day and exhausted the next—put it on a stable footing, so
that we may know how to deal with one another—how to pay you, and what taxes to levy on the people, and I shall be satisfied.—The hon. gentleman concluded with moving, “That a Select Committee be appointed to inquire into the causes of the severe Distress which has afflicted the Commercial and Industrious Classes of the Community during the last and present years.”

Mr. Leicester rose to second the motion, because he considered an inquiry most necessary; whether he regarded the true cause of the distress, or the many supposed causes to which it had been ascribed. In his judgment the distress was attributable to the viciousness of our pecuniary system—to the faultiness of the law, in inundating the country with a profusion of small notes—to the faultiness of the law, in not checking the mismanagement of the Bank of England—to the faultiness of the law, in calling into existence a sinking fund. If he was right in attributing the prevalent distress to these sources, it was consolatory to reflect that, by a change of the system, the evil might be remedied.

One judicious correction had been already made; namely, the suppression of one and two pound notes. But three essential improvements remained to be effected. First, the five and ten pound notes should be placed under some restraint; secondly, the Bank should be compelled, under a penalty, to contract its issues, in proportion to the state of the exchanges; and thirdly, the coup de grace should be given to the Sinking-fund. Now that it was down let it be kept down.

Mr. King trusted, that, if a committee were appointed, the deplorable condition of the population of Ireland would not be overlooked. Much of the distress of the country generally was to be attributed to the measure which had been called a return to cash payments—a course which amounted to little else than a robbery upon the purse of every man in Great Britain. He congratulated the country upon the late change of administration, which he considered to have been, not the triumph of any party, but of principle and of public opinion.

Mr. Fyler said, that the real remedy for the distresses which existed was a wise regulation of the Corn-trade. High prices of corn made high prices for everything else. He deeply regretted the manner in which the Corn-bill had been treated by the other House. The cup of hope which had been held up to the lips was, for the present, dashed to the ground.

Sir F. Burdett observed, that the subject was of the very greatest importance; and, if it were necessary to enter upon the consideration of it without delay, he should not think that it was a good objection, that the proposition came at so late a period of the session; for, if it were of paramount importance to enter upon the consideration of the subject immediately, the duration of the session ought to be extended, in order to afford the opportunity. But, whether the matter should be taken up this session or not, the hon. gentleman who had brought forward the proposition had done good by calling the attention of the House, and the ministry, particularly, to the subject. He did not concur in the opinions which had been expressed by his hon. friends who had spoken on the question; but that was only an additional reason for entering upon the inquiry. It was a great fallacy to imagine that the question had been set at rest. The evil had been brought upon us by mal-legislation; and the question would never be set at rest, until the matter should be settled on the true and right basis. The subject had been at first taken up by Mr. Horner, and several other persons of great talent and industry. An elaborate report had been produced, and upon the whole, there had been no want of attention to it. It, nevertheless, still required examination. When the bill of 1819 was under discussion, it was said, by several persons, that it was impossible the Bank could pay in gold. But he had then stated, that the question was not whether the Bank could pay in gold, but whether the country could bear it. It now appeared that it could not at that time immediately resume the cash payments without great injury to the country. It appeared that the resumption was a great deal too sudden. There was a period during the war, before the death of Mr. Pitt, when the cash payments might have been resumed without injury to the country; but that period had not been taken advantage of. Mr. Pitt, like many others, was in a great error on this subject, and thought that the question depended on the balance of trade, and that cash payments could never be resumed till the period of peace. Mr. Pitt’s opinion, that
accounted for the fact, that there was no serious attempt to return to cash payments during the continuance of the war. The issue of too great a quantity of paper had been an evil; but the increase had taken place so gradually, that the people were not aware of it. A rash step had been taken in the sudden resumption of cash payments; and those who proposed it, and many other able men, such as Mr. Ricardo, had no idea of the extent of evil which was to follow upon it. They said, that the change would not make a difference of more than five or ten per cent. But the difference was much greater: for, when you contracted your currency by five millions, this made a difference in the state of prices to the extent of fifty millions. Prices were diminished, and incomes were diminished, and a very serious injury was done to many classes of the community. After the state of society produced by the high prices, the idea of payments in gold at length produced sensations similar to what the sight of water occasioned in cases of hydrophobia. He did not mean to say, that we ought always to rest contented with a depreciated currency. He only said, that the return to cash payments had been too sudden; that the first efforts ought to have been, to prevent the currency from being further depreciated; and that the return to cash payments ought to have been much more gradual than it had been. The mischief had certainly not arisen from over-production, or too much wealth. Up to the close of the war, commerce and manufactures had flourished in a very high degree. What was it, then, which brought on the distress? Nothing but the sudden alteration in the state of the currency. It was then that the agriculturists were reduced to the greatest distress, and did not know the cause. They felt quite out of their element, and were like fish in the channel of a river, from which water had been withdrawn—gasing for breath. Then they solicited Corn bills, as a remedy for their distress; but no relief could be afforded by such means. A free trade in corn, while it would be advantageous to all, would be particularly so to the agriculturists. It was, indeed, a great absurdity to talk about prices at all, until the currency should be settled on a proper and permanent basis.—The hon. baronet then referred to a Letter lately published by one of the Directors, recommending the substitution of Bank of England notes for those of country banks. Great fault had been most unfairly found with this gentleman; because he had put forth this paper, with the view of feeling the sentiments of the country as to his proposition. Now, he could not conceive how blame could attach to this proceeding of the Bank Director, if that gentleman thought his plan likely to prove useful to the country. The paper itself was very ably written, and full of sound sense. For his own part, he was of opinion, that it would be a happy circumstance if the paper currency could, by such a plan as this, be secured from those perilous incidents to which the paper of the country bankers was liable; and this advantage would be still further augmented, by substituting the paper of the Bank of England, the circulation of which was immediately under the control of parliament. The country bankers issued with reference to no principle but their own private interests. But the connexion of the Bank of England with the government necessarily compelled it to regard higher considerations than those of its own immediate benefit. The objection taken to this plan, on the ground of monopoly, was misapplied. Where, for the sake of abundance of supply and lowness of price, competition was desirable, monopoly was undoubtedly mischievous. But, in this case, the object was a small supply and a high price; which were the very reverse of what was wanted in ordinary cases. The restoration of the metallic standard had produced, not only distress in agriculture, but in all the classes who were dependent on prices. By the contraction of the currency they had been as much defrauded as the fund-holders would if the interest of the National Debt had been reduced. He agreed that no effectual remedy could be devised to remove the distresses of the population of England, while the excessive influx continued from Ireland; nor was he altogether friendly to the scheme of emigration, by which the most skilful, enterprising, and industrious portion of the population was carried out of the country. Upon the whole, as there were so many topics, of the deepest interest to the public welfare, which might advantageously be investigated, he should support the motion.

Mr. Maberly was of opinion, that no sound system of currency could be established, while the Bank of England had
the power of contracting and enlarging the circulation at pleasure. He trusted this question would be fully considered before the Bank charter was renewed. Looking at the course recently followed by the Bank, it was, he thought, quite clear that one of two things must soon occur—and perhaps before the next session—either the metallic currency would be discontinued, or we should have another Restriction Act. In 1825, it was known that the Bank were very nearly driven to that measure; they had hardly the means of keeping open their doors for six hours.

Mr. Peach said, he had no apprehension that the Bank would be obliged to suspend cash payments. The circumstances which led to the restriction in 1797 could not take place in peace, when the balance of trade would necessarily be in our favour. He maintained, that the circulation of the Bank had never been either more or less than the wants of the country required.

Mr. Huskisson said, that the motion was for a committee to inquire into the causes of the difficulties which had affected the industrious classes of the community during the last and present year; and, in making that motion, the hon. member had gone into almost every topic of political economy which could afford matter for discussion, there, or in any other place. To these topics every other gentleman who had addressed the House had added almost every other topic which could by possibility engage the attention of parliament. One of the subjects adverted to by the hon. mover was, the measure passed by parliament, which went to the abolition of one and two pound notes. The hon. seconded praised that measure. On many other points the opinions of the hon. mover and secondor were wide as the poles asunder. Another hon. gentleman speaking of Ireland, wished this committee, on the 14th day of June, to inquire into the state of the population of Ireland—into the relations between the landlord and tenant in that country—into the mode in which the landlord oppressed the tenant. The question of emigration, in all its branches, was also to occupy the attention of this committee. Another question which was to be submitted to it, on the 14th of June, was, whether it would be expedient to abandon the Canadians, and separate them from the dominion of the Crown? The Sinking Fund, the Catholic question, and every other possible practical and theoretical question that could occupy the attention of parliament, were also to be submitted to this committee. Considering the very opposite sentiments of the gentlemen who spoke in favour of this committee, it would be extremely difficult, however desirable it might be, for them to come to a satisfactory decision on the various questions which were to be brought under their consideration. He well remembered the period to which the hon. mover had alluded; when he (Mr. H.) was regarded as a wild theorist, and a dealer in abstract doctrines, on subjects connected with the currency. In the year 1811, he was in a very small minority, which voted, that the currency was in a state of depreciation; and it was a little singular, that those who now pressed upon them the consequences of that depreciation, and who exaggerated the effect it had produced on the rent of land, and on the interests of the landowner, were among those who did not, at that time, believe in the existence of the evil. The rent of land had doubled in the last ten years; yet those gentlemen did not, in the year 1811, believe in the diminution of the value of money, but denounced him (Mr. H.), and all those who maintained that doctrine, as visionary theorists, and as men altogether unworthy of the respect or notice of the public. It was certain that the men who now considered themselves infallible, were not among those who perceived the depreciation of the currency, which led to the consequences which had since ensued. The hon. gentleman wished that the salaries of those whose labours and talents were devoted to the service of the public should be reduced to the standard of 1792. But if a direct tax were to be levied upon the income of the country, it would at least be just to levy it equally and impartially upon every species of income. The hon. gentleman had adverted to the low amount of the incomes of persons at that time connected with the Board of Ordnance, as compared with the present salaries. Now, he believed there was not one of the gentlemen connected with that department, who would not be glad to be placed in the situation of those who held similar situations in 1792. The fact was, that although the salaries in 1792 were small, the emoluments derived from fees, which were now abolished, were so considerable, that the whole remuneration greatly exceeded the existing fixed salaries.
The motion before the House was in reality an attempt to renew the motion made by the hon. member for Essex (Mr. Western) in 1822. He (Mr. H.) had at that time assigned too much length the grounds upon which he opposed that motion, that he should not trouble the House with a repetition of the arguments which he had then used. If it was wrong in 1822 to depart from the system by which the currency was settled in 1819, it would be much more so to attempt to unsettle that system in 1827. There was no part of his public life upon which he looked back with more satisfaction, than the occasion on which he had opposed the attempt of the hon. member for Essex to break in upon the system adopted in 1819; by which parliament was pledged not to make any alteration in the fineness, weight, and denomination of the currency. Five years had elapsed since the House had come to that resolution; and they would now, in his opinion, be guilty of something which would almost amount to insanity, if they were to attempt to alter it. He should therefore give his decided opposition to a motion, of which the object substantially was, to introduce a doubt, whether parliament ought to adhere to the standard of currency adopted in 1819. No measure, in fact, would create more alarm throughout the country than one which suggested the probability of an attempt, on the part of the legislature, to alter that standard. It was a proposal fatal to all the landmarks of property, and calculated to destroy all the securities upon which the interchange of property was founded. If the hon. baronet, the member for Westminster, could persuade the manufacturing and labouring classes, that in proportion as corn was dear their prosperity would increase, and, at the same time, persuade the agriculturists, that a free trade in corn, without any restrictions or protecting duty, would give them high prices, he would accomplish a very desirable object, and save the House, if not in this, in a future session, a great deal of laborious discussion on a subject upon which all were not likely to agree. Upon these grounds, he should oppose the motion for going into a committee—a motion, in fact, which could hardly be seriously made, considering the short time likely to intervene between the present period and the prorogation of parliament; and of which, if the inquiry were at this time practicable, the only effect would be to throw the whole country into confusion.

Mr. Western defended the course which he had taken in 1822, and at other periods, with regard to the currency. He attributed all the difficulties of the country to the measure of 1819, by which the currency was erroneously said to be settled. The currency had not been settled by the measure of 1819, it was still in a fluctuating state; and he was satisfied that the prosperity of the country would never be permanently restored until parliament retraced its steps.

Mr. Attwood said, it had not been his intention to offer any observations on the present motion, nor should he have done so, except for the unsatisfactory grounds on which the right hon. president of the Board of Trade had rested his opposition to it, and the inconsistency and want of candour which marked that opposition. The right hon. member said, that a motion similar to the present was proposed in 1822, and rejected by a considerable majority, and therefore he called on the House to reject the measure now before it. But he also stated, in almost the next sentence of his speech, that, at an earlier period, in 1810 or 1811, on the same subject of the currency, he had himself voted in a minority; and the opinion declared by the majority on that occasion, he treated as preposterously false. The argument of the right hon. gentleman, therefore, amounted to this: that when an opinion of a majority of the House fell in with his own, it must be received as an authority; it was to guide their future proceedings; but when an opinion so expressed differed from his, did not in fact suit his views, it became no authority at all, and was fit only to be treated with contempt. Many members cheered the right hon. president when he adduced the authority of a majority in 1822 as a ground for their present vote, and he (Mr. Attwood) therefore thought it necessary to point out to them, what was the value of the argument they so approved, even in the opinion of him who resorted to it, and the consistency of the guide they followed.

The right hon. member had adverted to the declaration of the hon. mover; that, if the present measure were rejected, he should bring forward a motion for reducing public salaries to the scale of 1792. In reply to this declaration he had argued
as though there were something absurd in proposing to cut down public salaries to the level of 1792, when the general wealth, and the income of all classes had greatly increased since that period. But his hon. friend had been guilty of no absurdity of this kind. His argument was, that the rejection of this motion carried with it the preservation of the present system of currency, and of the old standard of 3l. 17s. 10d., of which the right hon. president spoke in terms of so much satisfaction. But his hon. friend contended that this standard, existing as the right hon. president said for two hundred years, but which had been abandoned for the twenty years during which the present salaries had been fixed, would, by its re-establishment, reduce the monied income of the country at large to the level of 1792. He contended that monied prices depended on money. That money of the standard prior to 1792, would support no higher scale of prices than the one then existing; would give no higher price for corn than that which existed before 1792; no higher rent in consequence to the landlord, no higher profit to the farmer, or wages to the labourer: that, the incomes of all the productive classes would be reduced by this old standard; and, on that ground it was, of the effect of the old standard to bring back all productive income to the old level, that his hon. friend insisted, that the incomes of all public servants ought to be so brought back also. This was the argument of his hon. friend; and the right hon. president well knew it, though, instead of meeting that argument, he had, in the most uncandid manner, argued against a view of the subject opposite to that which his hon. friend had taken. The real argument of his hon. friend on this part of the subject he had never attempted to meet; and he (Mr. Attwood) would tell him further, that, preposterous as he might represent the proposition to reduce the salaries of public servants to the level of 1792, if the old standard of 1792 were persisted in, and no corresponding reduction of these salaries were in consequence effected, those salaries which had been raised to meet the debasement of one standard; if they were not again reduced, with the re-establishment of another and a higher standard, he would tell the right hon. gentleman, that no grosser or greater fraud, had been ever effected by any government, than would be practised by this juggler on the people of this country.

Into the question at large (Mr. A.) again said, he should not enter; but he was satisfied, that all the distress which the country had experienced in the last twelve years was essentially connected with it. Every alternation of adversity and success, which had been felt since the war, had been owing to corresponding alterations in their monied system; arising out of the attempt to re-establish at the peace, the old standard of value. Three different times, during this period, the old standard had been seen to be re-established; and money of that ancient and high value had circulated as the measure of modern debts and engagements; and as often had the country been involved in national embarrassment. Now, what was the nature of the operation, by which the old standard was introduced? Parliament deciding that the paper of the Bank of England should be made payable in gold of the old standard of 3l. 17s. 10d., left to that body to make the necessary preparations. The Bank commenced those preparations, by a reduction of the amount of its notes in circulation. The quantity lessened, those that remained assumed a higher value. They circulated at par with gold of the old standard; but, then, was it found that an advance in the value of money, was a reduction in the price of commodities? With the fall of prices, fell also rents, profits, wages. Commercial, agricultural, manufacturing, and financial distress followed, and a scene of universal national embarrassment. Three different times all this had been witnessed; accompanied, or followed, by intervening short periods of prosperity, occasioned by fresh issues of Bank notes, inconsistent in their amount with the old standard. He referred the right hon. president to his own argument with the ship-owners. They complained of the distress they had experienced since 1825, and ascribed it to the encouragement given to foreign vessels. His answer to that statement appeared adequate. He showed that foreign shipping was reduced in quantity as much as British shipping, and had not therefore supplanted it. Was it not plain also, that, during this same period, all other interests had undergone a revulsion as severe as that of the ship-owners, and that this must have been the effect, not of any particular, but of some general cause? But, if it were not
foreign competition which ruined the shipping interest, to what cause was their distress owing? The right hon. president told them to over-trading. Over-trading had destroyed at once the prosperity of this great branch of national wealth, and of all other great interests. But, if the right hon. gentleman would refer to the tables which he had appended to his own speech on the shipping question, he would perceive that another revolution, fully as severe as the present, had distressed the shipping interest no later than in the years 1819, 1820, and 1821. The extent of the present revolution as measured by these tables, showed a reduction of tonnage of about from 1,700,000 tons, to about 1,400,000 tons. The reduction in tonnage from 1818 to 1821 was from about 1,500,000 to 1,000,000 tons. And to what origin was the distress of that period ascribed, extending to all other great interests, as well as to the shipping interest? They were not then told of over-trading: that was not the prevailing theory of the day. Over-production was the solution which the right hon. gentleman and his colleagues generally, had applied to that difficulty. The right hon. gentleman appeared to contradict this; but he (Mr. A.) would be greatly mistaken, if he had not heard speeches of the right hon. gentleman, in which he had maintained that theory, as well as his colleagues. A universal rage, it was thought, had suddenly seized all the productive classes, of producing greater, and of consuming lesser, quantities; and thus were all markets overstocked with commodities, and a general glut occasioned. But if they looked still further back, they would almost immediately arrive at another period of similar distress, shipping, agricultural, and commercial, and, in short, general, falling on the years 1815 and 1816. And what was the theory by which the members of government explained the distress of that period? That ruin, it seemed, had sprung from a transition, as it was called, from war to peace. Transition, over-production, over-trading, those were the miserable theories, absurd in themselves, inadequate, inconsistent, and irreconcilable with one another, by which the right hon. gentleman and his colleagues had accounted for calamities and a condition of distress, which, amidst all the elements of prosperity existing around them, had crushed the power and exertions of the people, and had three times placed the country on the verge of irretrievable ruin. An inquiry, such as that now proposed, whenever fully and fairly gone into, would end for ever these absurdities; and would demonstrate, that all these revolutions had been occasioned by one plain, adequate, and consistent cause. During the war, they had eased the burdens which supported it, as fast as they were imposed, by a continual depreciation of the monied standard; the weight of these burdens was not therefore then felt; but at the termination of the war, when the attempt commenced of discharging its engagements, together with all existing private engagements, all contracted in money of a low and depreciated standard, when all these were attempted to be discharged in money of a higher value, then it was that the burdens of the war came to be fully felt; they were found to be disproportioned to the strength and resources of the people, and to spread universal embarrassment over all public and private interests. And what was now their condition? They were told of symptoms of returning prosperity. But would any gentleman venture to assert his confidence in the permanence of that prosperity? It could exist only to such a degree, as would be accompanied with increased issues of paper money; and those issues, inconsistent with their present monied standard, that standard would drive in again, and new embarrassments succeed. Was not this, then, a fit subject for their inquiry? It was the only great national object to which their inquiries could be usefully directed. A committee, it seemed, was to be proposed in the next session for the purpose of going through a general examination of the whole system of finance. Such a committee, if it did not take for the basis of its inquiries the operation of their monied system on their finances; if the committee should, as similar committees had done, cautiously avoid entering on this subject, its labours would be worse than useless. On their monied system, they would find that the receipts of their revenue would mainly depend; and to that system, disguise the matter as much as and as long as they pleased, must their expenditure, be first or last, brought to conform. With that conviction on his mind, he trusted that when the committee of finance should be proposed, his hon. friend (Mr. Davenport), or some other hon. member, would again bring this question
before the House; and that task he would himself discharge if it did not fall into other, and abler hands.

Mr. Huskisson said, he never had, as the hon. member had accused him of doing, treated the majorities of that House with contempt. He would, however, treat with sovereign contempt the tissue of misrepresentations which made up the speech of the hon. member, and would not trouble himself to contradict them.

Mr. Attwood retorted upon the right hon. gentleman the expressions which he had applied to his observations, desiring to assure the right hon. gentleman, that there was no degree of contempt which he had thought proper to express, that he (Mr. Attwood) did not equally feel towards the statements of the right hon. gentleman.

Mr. E. Davenport, in reply, said:—It is rather hard that I should be reproached by the ministers for a delay which has only occurred in compliance with their special request, and to be taxed with recommending a reduction of the standard; whereas I merely showed that the abuses of the system, expressly guarding myself against making any remedial proposition, it being matter of perfect indifference to me, personally, whether the system of the standard, or the ratio of taxation is changed, and one or other must be. The member for Coventry says, high-priced corn caused the distress of the people, but he seems to forget, that all the working classes were in full employment in 1825, when, although wheat was 15s. the quarter higher than at present, the master manufacturers gave enormously high wages, and the men worked three or four days only in the week, and drank during the rest of it. The object of my motion is to enforce the attention of the government to the subject. I perfectly acquit the president of the Board of Trade of having been able to comprehend the drift of a portion of my speech, insomuch as he was more agreeably employed than in attending to it, by talking with his friends. He alludes to the discrepancies of those who followed me in the debate, as if the mover was accountable for the different views taken by all who think proper to deliver their sentiments upon the subject; but he has not answered the principle allegations, whether against the system, or those who mismanaged it. He argues that, because the House negatived the proposition of the member for Essex, in 1839, therefore it is bound to do the same by all future propositions, in spite of all the mischief that can possibly occur at any subsequent period. He has not answered to the charge of ignorance and inconsistency preferred, and, as I conceive, demonstrated, against the government—he has not accounted for neglecting to redeem his own pledge, made last year, to take the restoration of the silver standard under his consideration—he has neglected to show by what process a permanently higher range of prices can be maintained here than on the continent, so long as we employ the same medium of value. He has spoken of the currency as finally settled in 1819, whereas it was tampered with by a change in the one-pound note act in 1822, and again in 1826; and whereas there is a tampering with the currency constantly going on, by means of Exchequer bills; every manœuvre in which, upon a large scale is, as regards the commerce of the country, a virtual alteration of the standard during the period of its operation. Neither has he explained to the House why he and his colleagues have kept the large measure for their salaries, after giving a small measure to the public which pays them. I have brought on this motion, and, I fear, wearied the House, from a strong feeling that such was my duty. My friends and supporters are of opinion that it is useless to press it. I shall therefore withdraw the proposition, reserving to myself the power of renewing it at some more convenient opportunity.

The motion was then withdrawn.

Preston Borough Election Bill.] Mr. Stanley moved for leave to bring in a bill to regulate the taking the poll at elections for Preston. At present it was impossible, that all the inhabitants could be polled. His object was, to supply a specific remedy to this evil. He did not mean to press it at present, but only to ask leave to bring it in, and have it printed, in order to submit it to the parties most interested.

Mr. J. Wood said, that he and his hon. colleague were fully agreed upon the subject. The suffrage at Preston was very extensive, and many voters, in consequence of the custom adopted, were unable to come up to the poll. The intended bill was no innovation: it was founded upon two bills, one in force in Ireland, and another in Westminster. Instead of circumscribing the rights of the electors, it would increase
them; because every voter would be enabled to tender his vote within the time limited by law.

Mr. Hume enforced the principle of election by ballot.

Mr. N. Calvert hoped never to see the day when that demoralizing principle should be introduced into elections [loud cheers]. The lower order of voters must necessarily be influenced, when few, by bribery, and when numerous by cajolery of some sort or other. Their only remedy, in cases of ballot, would be hypocrisy, promising the vote one way and giving it another.

Mr. Maccab thought the suggestion entitled to consideration.

Mr. P. Theopas said, it was much more easy to make assertions, than it was to meet one argument by another. The argument of the hon. member for Aberdeen was, that the exercise of undue influence would be prevented by a system of ballot; and the member for Hertfordshire met this by hoping that he might never live to see the day when such a system would prevail. The surest way to prevent the exercise of bad passions, worse than hypocrisy, was to take away the occasion of calling those bad passions into operation, and leaving the voter to the exercise of his own free will; which, in the case of the poor, could only be properly effected by ballot.

Mr. V. Fitzgerald contended, from the example of those countries where the mode of election was by ballot, that such a mode was not free from influence, and by no means favourable to liberty.

Lord Rancliffe said, that he knew that many of the voters of Nottingham had been deterred from coming to the poll by the fear of losing their places.

Mr. Warburton thought the suggestion worthy of consideration.

Mr. Stuart-Wortley recommended the leaving the matter to the general measure which was in the hands of a noble lord.

Mr. A. Dawson saw no reason why a man voting by ballot should not declare for whom he voted. The principle was said to be unfavourable to liberty; but let the House look to America, where every man voted according to his conscience, without bribery, alehouses, or the 130,000l. which was lately spent upon an election for Yorkshire.

Sir C. Forbes said, that in all elections an allowance of from twenty to twenty-five per cent was made for votes promised, but not given. It was quite ridiculous for the advocates of the present system to complain of the demoralizing tendency of elections by ballot. He objected not to reform, but to this pettifogging mode of effecting it; it did not go at once to the root of the evil. He should like to see every member, on entering the House, compelled, under the pains of perjury, to swear that he had not obtained his seat by corrupt means.

Leave was given to bring in the bill.

HOUSE OF LORDS.
Thursday, June 14.

SALE OF GAME BILL.] The Marquis of Salisbury moved the third reading of the bill for authorising the Sale of Game.

The Earl of Rosebery did not rise to oppose the bill, though he thought their lordships had lately rejected a better bill; but to explain that, it would be of no use to extend its provisions to Scotland. In that country, there already existed a law, which authorised duly qualified persons to sell game.

The Earl of Wincilsea opposed the bill, on the ground that it would grant facilities to poachers, and that it was unjust to limit the power of selling game to qualified individuals. He moved that it be read a third time that day three months.

Upon the question, "that this bill be now read a third time;" the numbers were:—Not-contents 32, Proxies 15; Total 47: Contents 31, Proxies 13; Total 44; Majority against the bill 3. Upon the second question, that the words "this day three months" be inserted, the numbers were:—Not-contents 64; Contents 38; Majority against the bill 16.

HOUSE OF COMMISSIONS.
Monday, June 18.

CORN TRADE.] Mr. Canning rose for the purpose of giving notice for to-morrow of a motion on the subject of the Corn-trade. He said, he was prepared, on the part of his majesty's government, to submit to a committee of the whole House certain resolutions relative to the Corn-laws; but the course he should pursue must, in a great degree, depend upon the course which the hon. member for Essex meant to pursue with respect to his motion. If the hon. member meant to persevere in
his motion to-night, then it was probable that he (Mr. Canning) would have an opportunity of proposing his resolutions by way of amendment to the hon. member's motion; but this must entirely depend upon the turn which the discussion should take.

Mr. F. Lewis implored the House not to lose a moment in considering this great question. It was not right that they should delay altering the appalling position in which the country was placed by the failure of the late bill.

Mr. Western observed, that nothing had occurred to induce him to alter the course which he proposed to pursue. His intention was, to propose a committee of the whole House, to consider of the acts of 1815 and 1822, respecting the Corn-trade.

The House having accordingly resolved itself into the said committee,

Mr. Western said, he should confine himself to a very few observations in submitting his first resolution. It should be observed, that he had given his notice ten days ago. He had, upon giving that notice, shortly explained the object he had in view, and it was really confined to a simple proposition; namely, to remove the suspensive clause from the Corn-bill of 1822, and allow all its other provisions to come into full operation. It was necessary to recollect, that in 1822 there was a committee appointed, to take into consideration the circumstances under which the agricultural interest were labouring; that committee sat for months. The late lord Londonderry attended it with patience and perseverance; and he afterwards introduced this act to regulate the introduction of foreign corn. It might appear that he (Mr. Western) was acting inconsistently, in now proposing to bring into operation an act, the passing of which he strenuously opposed in 1822. But this seeming inconsistency was easily explained, by stating that he opposed it as versus the bill of 1815. He preferred the act of 1815, as it gave a more decided protection to the grower, than that of 1822; and because he thought it extraordinary, on the part of the House, to diminish the price of agricultural produce, at a period when the agriculturists were labouring under the greatest distress. Well, the act did pass, and it appeared strange to him, that there should be inserted in it the clause to which he alluded—a clause which, in effect, prevented its coming at all into operation, save upon a contingency, which nobody foresaw, and which, in fact, had never come to pass. Five years had elapsed, and during that time the price of wheat had never risen to 80s.

By the act of 1815, wheat could not be imported until the home price was 80s.; by the act of 1822, the importation price was 70s. with a duty of 13s. and an additional duty of 5s. under certain circumstances. The hon. member proceeded to show the gradual reductions to be made in the duty as the price rose to and above 80s., and went on to observe, that he could not anticipate any objection to his motion, on his part, to allow the measure of 1822, supported as it had been by the right hon. gentleman opposite, to come into operation. Some hon. members objected to his plan, on the ground that if corn rose to 70s. we should incur the danger of having the country inundated with foreign corn. He maintained, that no danger of that kind was to be apprehended. The price, according to the last returns, was 58s.; but since that period he understood from a friend, whose letter he held in his hand, that there had been a rise of 3s. or 4s. This, it was said, was caused by the late bill having been lost in another place [hear, hear!]. Though this was the case, still there was no fear of a great rise of prices; on the contrary, the price which we had of abundant harvest was so cheap, that it kept the market down. Besides, it should be recollected, that wheat rose 3s. or 4s. upon the introduction of the right hon. gentleman's bill a few weeks ago, and that circumstance caused an alarm in the public mind. When prices were at 67s. it was stated, that we were comfortable and happy. But now that prices were at 58s., alarm was said to be spread abroad in all quarters. The fact was, that with the different variations in the value of our currency at different times, it was extremely difficult to legislate at all with respect to corn. But they were compelled to do what they thought best for the interests as well of the agriculturists as of the community at large. All he asked at present was, that an act which had stood on the Statute-book for five years—an act which had been passed by that House upon the serious recommendation of a committee—should have a fair trial. It might be said, that ministers would have the power of
providing corn from becoming dear by an order in council. He did not fear that, if this power was given to ministers, they would use it otherwise than discreetly and cautiously. But that was not the question. It was the duty of parliament to provide, as far as in them lay, against the necessity of resorting to such measures, unless at times of unforeseen and pressing necessity. He maintained that, if his measure was adopted, such a necessity would be obviated. Upon the various occasions that the Corn-laws had been brought under discussion, he had taken a lively interest in them. He had never looked upon this as a personal or a party question, and had never taken any part upon it upon private or party considerations. He had always felt that this country should put an obligation upon itself, and provide sufficient food for its inhabitants; as he was perfectly sure it could do with industry, attention, and management, instead of relying upon foreign countries for our supplies. This was the wisdom and the policy of some of our wisest legislators and statesmen; and never had the doctrine been more ably and eloquently enforced than by the right hon. gentleman opposite. He looked upon the act of 1815 as a perfect settling of the Corn-question; and he was sure that it was viewed in the same light by ministers, by the House, and by the country at large; and, therefore, he opposed the act of 1822, because he considered it to be an invasion of that settlement, and a breach of public confidence.—The hon. member concluded by moving the following resolution:

"That it is the opinion of this Commission, that so much of the Act of the 3rd Geo. 4th cap. 69, relating to the importation of corn, as renders the provisions of those acts dependent on the admission of foreign wheat for home consumption, under the provisions of the Act of the 55th Geo. 3rd, cap. 26, should be repealed."

"That the Scale of Prices at which the home consumption of Foreign Corn, Meal, Wheat, or Flour, is admitted by the said Act of the 55th of Geo. 3rd, shall cease and determine; and that henceforth all and every the provisions of the said Act of the 3rd Geo. 4th shall be in force the same as if they had not been made dependent upon the admission of Foreign Wheat for home consumption under the said Act of the 55th Geo. 3rd."
agree to the substitution of 70s. for 62s., but also, whether the more matured decision of this House shall be abandoned, and whether we shall withdraw our support from those principles on which that decision was founded, for no other reason than that those principles have not been fortunate enough to meet with approbation elsewhere? Yet, such is the conduct which the hon. gentleman wishes us to pursue; and without any arguments to show the incorrectness of the conclusions to which we then arrived, he calls upon us to abandon what we have done, and to retract the deliberate decision we have lately made—to disclaim all we have been before declaring necessary—in short, to go back to the principle of prohibition. I do not say that the hon. gentleman has been unable to make his propositions clear to the House from the want of capacity in himself. I do not say that it is from want of ability, or of knowledge, or of experience (all of which he possesses), that he has not succeeded in furnishing the House with a single reason for the course he requires us to pursue. Perhaps, that he has not done so is more to be attributed to the nature of his proposition itself, than to any other circumstance. I agree, Sir, with the hon. gentleman, that something is necessary to be done; but the rule I should lay down upon the subject is a very plain one. As, I presume, the House of Commons is not so reduced as to adjure what its members have declared to be necessary principles, to rescind their deliberate resolutions, and to throw away as waste paper that bill which they have so much, and so carefully considered, merely because in a certain assembly, which, for many reasons, is entitled to our respect, they did not happen to be entertained with that courtesy which might have been expected, but were made the subject of an amendment, which not merely went to rescind what we had enacted, but to introduce principles, that, besides being new, were positively contrary to what we had determined to be necessary. Let the House themselves feel this as they may. If there be a single spark of pride or of shame in it, they will not submit to it. While, however, on one hand, I should say that we ought not to submit to change our opinions, and to abandon our principles, without being satisfied that we were mistaken, yet I should most sincerely wish, on the other, that the bill which I
now propose to introduce should be as little liable as possible to any objections that may throw impediments in the way of its being passed. I should, therefore, lay down as a rule to guide us in framing a new bill, that it should not, if possible, run counter to any thing which we have reason to believe will occasion its loss in another place. While, therefore, on the one hand, I do not wish that we should yield one title of our privileges, so, on the other, I am not desirous that this period of the session should pass without our enacting a measure that may produce some practical good. That such a measure should be perfect is more than can possibly be expected; but something is necessary to be done at once; and time enough will then remain fully to consider the alterations that may afterwards be deemed necessary. The first rule, therefore, that I would adopt, should be to do nothing that may ensure contradiction elsewhere; and secondly, that we should do no more than is absolutely necessary at the present moment; since, after what has passed here, and in the other house of parliament, every body must be satisfied, that, in the next session, the whole subject must be fully re-considered. The third rule I would establish is, that conceding every thing that may fairly be required from us, we should begin with spirit whatever we intend to do, and should frame our bill on those principles which have been concurred in here, and on which we have legislated. Now, as far as we have the means of knowing, the principle of the bill we have already passed has not been touched. Indeed, that bill, when it was discussed in the other House upon principle, passed its second reading by a large majority. The immediate evil against which we have to provide is, the alarm that the loss of that bill has occasioned—an alarm which, if the statements of some hon. gentlemen are not exaggerated, must be very considerable. If the alarm is not great now, I trust most sincerely, that the minds of men will not become more excited, and, at least, that the amount of evil may not be exaggerated. I know that if alarm does at present exist, we have great reason to fear that it may be made the subject of exaggeration; for the period at which such an alarm is likely to be the greatest, is between the present time and that of the coming in of the following harvest; in other words, between the expenditure of the stock in hand, and the period of obtaining the new supply. At this moment I am happy to say, that, from all the accounts we have received, there is every reason to believe, that no ground for alarm exists; for the harvest promises to be most abundant: but, notwithstanding this, I understand there is an apprehension, that the failure of the bill which lately passed this House may create an alarm which may be much exaggerated, if the report should be spread abroad, that nothing is intended to be done by parliament. Now, it does so happen, that, by the natural operation of the bill (for the minds of men were, in some degree, prepared to expect that it would pass into a law), a great quantity of foreign corn has been introduced into the country; and there are, at this moment, about five hundred and sixty thousand quarters of foreign corn in the ports of England. As these have been brought hither on the expectation that their importation would be sanctioned by law, something must be done with them; and, as the principle of the bill that passed this House, has not been impeached in the other house of parliament, I feel no hesitation in making a proposition on the subject. I propose, then, that these five hundred and sixty thousand quarters of foreign corn, now in bond in this country, should be let out, not by an act of the government (for greatly as the hon. gentleman fears the exercise of such a power on the part of the government, I assure him that he is not more unwilling to confer such a power than we are to exercise it), but that they should come out under the provisions of the bill now before the House. To that part of the bill there was no objection in the other house of parliament; and therefore it is that I now propose, that the quantity of corn in warehouse in this country, or which may be brought into warehouse here before the lst of July, shall be allowed to come out, under such restrictions and regulations, both with respect to price and duty, as would have been in existence, had the bill which passed this House assumed the authority of a law. To that purpose, at least, the bill may be supposed to have passed into a law; since that part of its provisions was not objected to in the other House. The point which impeded the passing of the bill was quite of another
description. At the same time I believe, that, with respect to the regulations on which foreign corn was to have been imported hereafter, an amendment was proposed and negatived. I state this with the view of showing, that, in what I propose we should do with reference to bonded corn, we shall not be running the risk of engaging in a conflict with the other House—a conflict which I should extremely decrate.—The only other point to which I wish to allude, is with reference to another species of corn, very small in its amount; but, with respect to the importation of which there are peculiar circumstances of favour—I mean the corn of Canada, for the shipping of which preparations have already been made, and for which bills have been transmitted here, on the faith that such corn might legally be imported. This is the only proposition which, under present circumstances, the government think proper to submit to the House. My first proposition is, to let loose the corn now in bond, by the operation of the principles of the bill itself; and then to let in, under the same restrictions, the corn of Canada, which has been shipped on the faith of the bill. To neither of these parts of the bill was the smallest objection made in the House of Lords; and the amendment which lost the bill was, as far as I understand the matter, one which did not touch them in the least. In proposing them, Sir, for the consideration of this committee, I am, therefore, doing that which will not bring us within the risk of a conflict with the other House, since the principles on which I now wish to act are those that met with no objection, and were, in fact, adopted from us. This act of legislation is, however, but temporary in its nature; as I propose it shall last no longer than the 1st of May in the following year. I shall do this for the purpose of insuring the early attention of parliament to a subject which I cannot but consider of vital importance. It is my earnest wish that one of the first acts of the legislature, in the ensuing year, may be, to reconsider the act of the present session; and, by the experience we shall then have had, I think we shall possess the best means of entering on that re-consideration. Between the hon. gentleman and myself there is a wide practical difference. I propose that, in cases of emergency, a quantity of foreign corn, to a limited extent, shall be admitted into the market here. I say, "to a limited extent," because I have no desire to alarm the agriculturists; and I, therefore, limit the extent of corn thus to be rendered admissible, to that which is now in warehouse in this country, or which may have been shipped on the faith of the bill that passed this House. The price at which I propose it shall be admissible is 62s.; and I adopt the scale of price and of duty from that bill, the principle of which was not opposed in the House of Lords; but I restrict the operation of that principle, by confining it to that corn which is now in bond here, or which has been shipped from Canada, and for which bills have been drawn and accepted. The hon. gentleman, on the contrary, proposes to get rid of the principle of the bill passed in this House in the present session, and to treat it as if every part of it had been rejected in the other House, resorting to 70s. as the minimum price at which the people of England are to be relieved from the pressure of the high price of corn, by the importation of foreign grain. The practical difference, therefore, between the hon. gentleman and myself is considerable; and I confess that I do not think the House can hesitate in agreeing with me, that the proposition I have submitted is that which ought to be adopted. I do not think the hon. gentleman will find the circumstances of the times to be such, that his measure, even if carried, will be conceived to be one which ought to be fastened permanently on the country. All I ask is, that parliament should meet a present, or, at least, a probably approaching evil; reserving to itself the right of discussion upon the framing of a permanent measure, which, for the honour of parliament, and for the advantage of the people of this country, I trust may pass into a law, and be finally settled in the next session. I have now, Sir, only to move, "That it is the opinion of this Committee, that any sort of Corn, Grain, Meal, or Flour, the produce of Foreign Countries, and now in Warehouse, in the United Kingdom, or which may be reported to be Warehoused, on or before the 1st of July next, shall be admissible for home use at any time before the 1st of May, 1828, upon payment of the Duties following." [These were the Duties imposed by the Bill of the present session, passed by the Commons].

Mr. Peel said, that the only circumstance
under which he could be induced to give his vote in favour of the proposition of the hon. member for Essex, would have been the belief that it was the determination of government not to introduce any other measure during the present session. Had that been the case, he should have considered the proposition of the hon. gentleman as one which was calculated to amend a great blot in the existing system of the law; and although he was not satisfied with it, and although he believed that it went to establish a principle which ought not to be established, he should have preferred it to the present state of the law; as he thought it impossible to retain in actual operation a law which prohibited the importation of foreign corn, until the produce of our own country, had risen as high as £6. Had no other proposition been made to the House, he should have voted for that of the hon. gentleman, because he conceived some change in the present system absolutely necessary; but as the amendment proposed by his right hon. friend was founded on the bill which had passed that House, he preferred it to the partial proposition of the hon. gentleman; and therefore, not only on the ground of consistency, but because he preferred his right hon. friend's amendment, he should vote for it. He should follow the example of his right hon. friend, in not mixing up with this discussion matter which was really foreign to it. At least such had been the rule which his right hon. friend had laid down at the commencement of his speech, but which, no doubt unintentionally, he had, in some parts of it, violated. It was his opinion, that no more unwise course could be pursued by any party, than to connect political questions of any sort with the question of the Corn-laws, which ought to be discussed independently of any other matter. "If," continued the right hon. gentleman "any gentleman should think that the amendment proposed by my noble friend, the duke of Wellington, in the House of Lords, was connected with any purpose of a political nature, or still less with any purposes of party faction, I declare, upon my honour, that I believe such an impression to be totally erroneous. I believe that my noble friend, having supported government in the early stages of the bill, and having voted for its second reading, when its principles was discussed, proposed his amendment with a sincere desire to promote that which he understood to be the real object of the bill, and to remedy a defect which he thought he perceived in it. I believe that he made his proposition on a misconstruction of what had passed between my right hon. friend (Mr. Huskisson) and himself; and that, when he made his suggestion, he really thought the suggestion was not dissented from by that right hon. gentleman. I say I believe this, because, if the noble duke intended to have made that amendment the means of an opposition to the government, I do think that I should have heard of it previously; and that the first intimation I had of the amendment would not have been on the morning of the day after that on which he had carried it." The right hon. gentleman then proceeded to comment on the claim which the chancellor of the Exchequer had set up for the privileges of the House of Commons; and observed, that while his right hon. friend claimed for that House the full and free exercise of its privileges, they ought to give equal freedom to the other. However, so anxious was he to avoid saying anything that might produce acrimonious feelings, that he should abstain from making any further observations upon that part of the subject, and should confine himself entirely to the discussion of the question immediately before them. On that question the course he should adopt was taken up with no other consideration than what he believed to be for the permanent interest of the people of this country. He must, however, remind the House, when they objected to the opinions of others upon this bill, that they themselves had deemed it necessary to make alterations in the bill since its first introduction. He was sorry to hear that what was to be done now was to be only a temporary measure. He wished that it had been thought possible to have introduced, at this time, a Corn-bill in such a form as would enable them to render it permanent, and that the right hon. gentleman had not taken the amendment to have been so important as to destroy the bill. The amendment might have been important enough to prevent the government from carrying the bill, so amended, through the House of Lords; but he would ask, whether it was so much so as to prevent the right hon. gentleman from doing that which might have amounted to an honourable compromise between the two Houses? He thought that such was the
importance of the discussion that was to decide the price of corn, and to settle the question between landlord and tenant, that even if the session should be protracted to the end of July, he should think the time was well consumed in finally disposing of the subject. He thought it would be infinitely better, both for the agriculturist and manufacturer, if between those two, as between the two Houses of parliament, an honourable compromise could be effected. He was not the advocate of one or the other; and he thought that those persons showed the greatest wisdom, who manifested no particular or exclusive partiality for either; especially as he believed each of those classes would best promote its own interest, by shewing respect to the wishes and interest of the other. On the ground of his own consistency, but, beyond that, on the ground of the preference he really entertained for the amendment, he should give it his decided support.

Mr. Whitmore said, that, in rejecting the bill lately presented to them, the lords had manifested greater ignorance than he ever before witnessed in any body of legislators. He concurred, though with some reluctance, in the resolution of the right hon. gentleman; and he begged to guard himself most distinctly against being supposed, by that concurrence, to convey an approbation of the temporary measures by which it was attempted to palliate the evils inherent in the existing system of Corn-laws. It was too much that the people should be obliged to look to the government, year after year, for the supply of food. This was the third temporary measure of this kind that had been adopted; and he now felt it right to state, that if a similar measure should be proposed on any future occasion, upon whatever alleged grounds of expediency, he should give to such a proposition his decided opposition.

Colonel Wood thought, that both the proposition of the hon. member for Essex and that of the right hon. gentleman, might with perfect propriety be adopted by the committee. The proposition of the right hon. gentleman was very good, so far as it went, but that was not far enough. In the event of the country being afflicted with a wet harvest, as it was in 1816, the admission of six hundred thousand quarters would not prevent the price from rising. He therefore thought it a very reasonable proposition to admit corn when the price should reach 70s. under the operation of the act of 1822.

Mr. Benett did not think that the proposition of the right hon. gentleman was called for by the circumstances of the case. For his own part, he had no apprehensions of a wet season. He rejoiced that the bill had been abandoned in the Lords, because he objected to its principle. He believed that the effect of that bill would have been, to diminish employment, by throwing out of cultivation a great portion of the poor-lands. It appeared to him that the only fair principle to be adopted with respect to the trade in corn, was that of a fixed duty, to commence at a price which would secure the agriculturists of this country from the injury which they must sustain, if compelled to compete with other nations who did not bear the same pressure of taxation.

Sir J. Newport thought it was impossible for the House to entertain the proposition of the hon. member for Essex, seeing that they had already passed a resolution which was equivalent to a repeal of the act of 1822. How could that House send up to the Lords an amendment of that act, when there was at present on their lordships' table an act for its repeal? The principle of prohibition, as applied to the trade in corn, ought not to be entertained. It had been said, that the act of 1822 had never come into operation. He rejoiced that it had not. That act prevented the importation of corn until a famine-price was attained; and then the effect of opening the ports must have been to inundate the country with foreign corn. The country had been placed in an embarrassing situation, by the manner in which the bill agreed to in that House had been treated in another place. That, however, was no fault of the House of Commons, but of those who had attempted to destroy the measure, under the guise of amendment. Those persons only were to blame who, having originated the measure as part of the king's ministers, turned round upon the principle which they had sanctioned, and, for purposes which he would not attempt to designate, produced a result which was calculated to excite feelings of exasperation throughout the country. He repeated, that those persons only were to be blamed who discussion of a supply of the whole p
Mr. Baring said, that, in reference to the question more immediately before them, the measure suggested by government was of a simple and temporary character, and only intended to reach the next year, when he hoped parliament could be brought to the main consideration of the Corn-laws, with that calmness which their discussion and adjustment so imperatively called for. At the same time it was intended, that the temporary measure should be in the same spirit, and on the same plan, as that which had already received their sanction. There was this advantage in adhering to that course, in preference to the adoption of a resolution like his hon. friend's (Mr. Western's); namely, that they were adhering to a plan which had been carried after mature deliberation, instead of sanctioning at once and crudely an entire deviation from it, thereby implying that they had been misled, and had spent their time idly in their recent debates upon the general question. He had besides, this further objection to the amendment of his hon. friend—that, by fixing the price at 70s. at the close of the sitting of parliament, it tended to fetter the discretion of ministers during the recess, and to compel them to sanction, under all circumstances, the prohibition of the importation of foreign corn until the higher price of 70s. was exceeded in the home market. The prevalence of any public belief, that the government was so fettered by any implied restriction imposed by that House, could not fail to be attended by great inconvenience, as well as no small share of mischief in particular contingencies. Viewing the amendment in this light, then, he came to the consideration of the proposition which was broached this night by the right hon. gentleman, and which was merely aspiring that House an alternative of falling back upon a principle which they had already sanctions, and which there was reason to think would meet the general satisfaction, notwithstanding the fate that had attended a part of their system elsewhere. With reference to that plan, he must say, that there never had been one submitted to the country which had received so large a share of support. There were particular farmers who certainly complained that agriculture was not sufficiently protected by the late bill; and, on the other hand, there were some manufacturers who complained that it would make the loaf too dear; but, notwithstanding
ing these extreme opinions, the general understanding, among the soundest and most rational thinking men was, that it was calculated to do even-handed justice to all parties; so far as any bill could be experimentally framed for so delicate and important an object. He lamented that that bill had not succeeded elsewhere; for he had strong objections to any temporary measure upon so vital a question. This uncertainty upon the final issue of such arrangements not merely affected the growers and dealers in corn, but every other species of human industry in which the country was embarked; leaving, in the mean time, the buyer and seller, the cultivator and the speculator in land, in a state of utter ignorance as to the real value of their property or contracts. All purchases and bargains were thereby left unsettled and unhinged, and every class of society flung, as it were, into conflicting interests—one body exclaiming for cheap bread, another calling for an extravagant price for their corn, and the public left in a state of doubt, difficulty, and danger. It was with the greatest reluctance, then, that he could give his consent to the suggested temporary measure, not only on account of the important interests which must still remain unsettled, but on account of the injurious moral effect which must inevitably attend this putting into incessant collision two of the great classes of the community; who, when excited, were not likely to reason very closely upon the real bearings of their respective duties. This moral irritation was as unwise as it was dangerous; and rather than prolong it by the substitution of a temporary measure, he would have preferred a prolongation of the sitting of parliament, to have a general and permanent measure still discussed, if he could have hoped that such a discussion was likely to be conducted, under existing circumstances, with that temper which the subject so imperatively demanded. This hope, from what had lately passed elsewhere, he could not now rationally entertain; and therefore he was painfully obliged to give up the present expectation of having a dispassionate consideration of the merits of the Corn-laws, and content himself with any safe, temporary measure until next year. As to the noble duke, whose name had been so often alluded to in the present discussion, he must say, that he felt so sincere a veneration for his character, so deep a conviction of the immense debt of gratitude which his country owed to him, that on any occasion he should hesitate before he ventured to pronounce the slightest opinion to affect his integrity or understanding. But, at the same time, he could not help saying, that when he saw no less than five of the late ministers, all of whom had, while in office, themselves concurred in and approved of the measure which had been passed by this House, and sent to the other House—when he saw all of them, when out of office, turn round and struggle that very measure, he could not agree with the right hon. member for Oxford, that all this was done from an entirely honest feeling: more especially as the amendment, by means of which they had effected their object, was the most foolish and absurd, and the most inoperative for any good purpose, that ever was proposed to be introduced into any bill that ever came before parliament [hear, hear!]. That was the true character of the amendment: but he spoke of it in these terms, not with any view to reflect upon the individual with whom it originated, but to point out the reasons which induced him to consent to a temporary measure, since a permanent plan could not be adopted during the present session. If the right hon. member could think that such an amendment was introduced from a sincere desire to promote the object, without injuring the principle, of the bill, he could only say, that his credulity was equal to his candour; for he could hardly conceive how any persons of common sense, who were really friendly to the principle and object of the bill, could have proposed such an amendment, especially if they knew what would be the fate of the bill, which they must have done; as it was to be presumed that they were acquainted with the privileges of the House of Commons. The effect of the amendment was, to throw the whole of the corn trade of the country into a state of total uncertainty and confusion. He thought the right hon. gentleman himself ought to have said a few words on the nature, object, and effects of the amendment. Could any one show that the amendment was good for any thing, except to throw the corn trade into the hands of foreigners? If the object was to give a preference to the corn directly imported, over the corn in bond, that plan would not have the slightest effect in protecting the agriculture of this country; and if it had not that ob-
ject, it had no object whatever, unless that of destroying the bill. It could not have been intended to injure our own shipping, and to throw the whole of the corn trade into the hands of foreigners; and, if, that was not the purpose, what could it be, except to get rid of the bill? He repeated, that as a protection to agriculture, the amendment was the most absurd and inoperative that could possibly be conceived; for corn would be warehoused at the Hanse towns and Flemish ports, and would come into competition with the home-growers to the full as much as if it were warehoused at home. To the foreigner, indeed, no greater or more unexpected boon could have been given, than the late amended bill, while it conferred not a particle of real advantage to the home-grower. He was astonished that the noble duke could not have fancied that the necessary effect of his amendment must be, to take the carrying and warehousing trade out of British hands, while the prices were low and assisted speculation, and yet, when a season of distress should arrive, and the price got up to 80s. or 90s., then the article would be placed under the guidance of other hands, and the home-market absolutely left to the discretion of the foreigner, just beyond the confines of British power, who at a moment so critical would have a distressed population at his mercy, either to cut off their supply of a staple article of food, or mete it out exactly as he pleased during the exigency. Any thing more absurd in legislation he could not conceive; and, giving great credit to the right hon. member for Oxford for the sincerity of his opinion on the subject, he must say, that, with persons of common sense, he was obliged to suppose a perfect consciousness in them, of the mischief of the proposal. He repeated, that those who had ability to understand it, must regard the amendment as being of this description. And with respect to that very bill, if he had thought with the right hon. member for Oxford that the amendment proposed elsewhere had honest reference to corn, he would have preferred having the bill back to that House, that they might have had a conference on the subject; because, if it were to come to reasoning, he was quite sure that they would have no difficulty in making even the supporters of the amendment understand the absurdity of their own proposition. He was decidedly of opinion, that the country would do better to endure the inconvenience of delay, than legislate in haste on so important a question. The plan of the hon. member for Essex was not calculated either to do credit to the House or to benefit the country.

Mr. Peel said, he was at a loss to reconcile the whole tenor of the hon. member's speech with the declaration with which he had prefaced it, of the veneration which he felt for the illustrious duke, and the indelible sense he professed to entertain of the immense debt of gratitude which his country owed him. What violence, then, must not the hon. gentleman have done to those feelings, when, so soon after their expression, he could on the anniversary of the battle of Waterloo, have suffered himself to have attempted to cover the noble duke with ridicule, for an act which he had done in the honest discharge of what he felt to be his public duty. He conceived it to be no part of his duty, on the present occasion, to vindicate the duke of Wellington's clause in the corn bill. What he had stated earlier in the evening was, that he was prepared to vindicate the illustrious person himself from having been actuated by any party feeling in the step which he had taken; and this he was prepared to do, not because the noble duke could not have taken any step he pleased without his concurrence, but because he was on such terms of confidential intercourse with him, that he knew the duke would not have done a formal political act, without at least having apprized him of it, were it intended as a party proceeding; and he had never heard of the introduction of this clause, until the morning after it had been submitted as an amendment. But really, when the hon. member thought fit to exercise his talents for ridicule, he should have taken care that when he meant to heap it upon the noble duke, he did not, in an equal portion level it at his right hon. friend who sits under him (Mr. Huskisson). The history of this proceeding must, however, be known, to remove this attempt to cast obloquy upon a public character who had achieved such glorious services for his country, and who on this day at least, if on no other, ought to have been spared the necessity of requiring such an explanation. The duke of Wellington had been a member of a committee which had sat to inquire into the price of grain for shipment at foreign ports, and the price at which it could be imported into the home market. The result of that
laborious investigation had created—right or wrong he was not now to argue—an impression on the noble duke's mind, that the warehousing system, as at present constituted, gave a power to certain speculators in the article, so to practise upon the averages, as to make them available for their speculations in the market. And his noble friend's object in proposing the clause was to throw an obstacle in the way of such dexterous movements for sinister purposes, and to give a preference to corn directly imported in ships, so that which had been previously bonded. This was not an alteration which introduced any new principle; for in fact it had prevailed in the construction of the act of 1791. Why, then, was his noble friend to be assailed with ridicule for having revived a principle which had already received the formal sanction of the legislature? The hon. gentleman, he repeated, seemed to forget that if ridicule must be applied, it equally attached to his right hon. friend (Mr. Huskisson) for the individual assent which he had given to a part of the alteration. His right hon. friend's opinion was originally called for by the noble duke, on a proposition, that no bonded corn should be taken out of the warehouses, until the parties who had previously bonded theirs had expressed their consent. His right hon. friend had very properly objected to such a proposition, but had added, that if the prevention were merely to extend to the importation of foreign corn until the house price was 66s., he could have no objection individually, though he feared it would be fatal to the bill. Now, all the objections of the hon. member would apply equally to this alteration as well as to that of the noble duke. His sole object was to vindicate the duke of Wellington from the aspersions which had been cast upon him. He was exceedingly sorry that an individual who had acted, as his noble friend had acted, from a firm belief that he was not departing from the original proposition of the clause, should have met with such treatment. His noble friend might naturally have supposed, that a similar mode of proceeding might be taken with respect to this measure, as had been taken, under precisely similar circumstances, with respect to the Canada Corn-bill. He was quite sure that his noble friend acted under the impression, that though the bill might be rejected, yet the country might have the benefit of some permanent measure on the subject. His noble friend did vote in favour of the principle of the bill, and he had not attempted to violate the principle of it. He believed that his noble friend had acted throughout with that fair dealing, and with that singleness of heart, for which he was as much distinguished, as for those great and glorious military achievements, which had spread such lustre over the arms of this country.

Mr. Baring said, it had been with the most unfeigned reluctance that he had felt himself compelled to speak of the noble duke, whose great qualities he was quite as ready to acknowledge, as the right hon. gentleman could possibly be. For his own part, he perfectly believed, that the noble duke had been misled by persons who were much more cunning and artful than he was. He must also add, that he did not think it quite fair, that the discussion of the question before the House should be obstructed, merely because that day was the anniversary of the battle of Waterloo.

Mr. Huskisson said, that he had to beg the indulgence of the House in the performance of a very painful but imperative duty. He certainly could have wished that honourable members had confined themselves to the motion before the House, and that the discussion had not taken the turn which it had taken. His right hon. friend the member for Oxford, had said, that the ridicule and blame which had been lavished upon the amendment of his noble friend attached in an equal degree to him (Mr. Huskisson) as it attached to his noble friend. He would tell his right hon. friend, that however great that ridicule might have been, he would rather have borne with it, had it been twenty times as great, than that the amendment should have received the sanction of that House, and worked all the mischief, all the disadvantages, and all the distress, which it must inevitably have produced. At the same time, however, he must deny that any part of that ridicule attached to him. He was answerable neither for the merits nor the demerits of that amendment. It had been said, that he had suggested the amendment; but it was quite clear that the noble duke had entirely mistaken the suggestion which he had made to him; and, as certain documents connected with this subject had been alluded to there and elsewhere, he hoped the House would al-
low him to read some extracts, which
would put the matter in a clearer light
than it had yet appeared in. At a late
hour on the night of the 24th of last
month, on the eve of the day for which
the corn bill stood committed in the
House of Lords, he received from his no-
bile friend a private communication, which
he would now read to the House:

"London, May 24, 1827.

"My dear Huskisson: I beg you to
look at the enclosed clause, and let me
know whether you have any objection to
its being inserted in the Corn-bill, after
the clause permitting the entry. In my
opinion, it will tend to diminish the ap-
prehensions entertained, that the system
of warehousing may be for the purpose
of facilitating and ensuring the results
of frauds in the averages; and will tend
to induce some to vote for the bill who
would otherwise vote against it. Let me
have your answer as soon as you can.
Ever yours, most sincerely,

"Wellington."

The clause which his noble friend in-
closed ran as follows:—

"Provided always, that no corn shall be
entered for home consumption from any
warehouse in the United Kingdom, previous to the entry for home
consumption, or to the exportation of every
other portion or portions of corn previously
lodged in warehouse, in such port or place;
without the consent in writing, under the
hand and seal of the proprietor of such
last-mentioned corn, so long as the average
price of corn within this kingdom, as settled
by virtue of this act, shall be less than 70s.
a quarter."

He wrote an answer to this letter of his
noble friend that same night, which he
believed his noble friend received early the
next morning. In replying to the letter
which he thus received, he could assure
the House, that he communicated with the
noble duke in the same spirit in which
one colleague would communicate with
another; for in such relation he still sup-
posed himself to stand with his noble friend,
as far as that bill was concerned. He did
not even keep a copy of the letter which
he wrote, and he had to thank his noble
friend for the copy of it which he now held
in his hand. This letter had been the
cause of all the misapprehension which
had taken place, and he must, therefore,
beg to trespass on the House by reading
it:—

"Somerset-place, May 24, 1827.

"My dear Duke: I should certainly be
disposed to acquiesce in any reasonable
concession which would conciliate some of
those who object to the Corn bill in the
House of Lords, without risking the loss
of the measure when sent back to our
House.

"I cannot take upon myself to say,
whether the proposals, which I return, would
be open to this objection. On other
grounds, I am afraid you would find great
practical difficulties in the execution of the
proposed measure.

"It would give, as I understand it, the
power to any one proprietor of foreign
corn, in any port, to lay a veto upon the
sale of all corn warehoused subsequent to
his in that port, until the price reached
70s.

"This would put it in the power of one
individual, by reserving a quantity, how-
ever small, of old corn, to stop any sale
below 70s., as effectively as it could be
stopped by a positive prohibition under
that price.

"Supposing this objection removed,
how, at any of the great ports, can you
hope to get the consent in writing of every
proprietor? I have no doubt, that the
corn now warehoused in London is the
property of at least five hundred firms or
individuals, some living in London, some
in different parts of England, some abroad.
This corn, whilst in bond, is every day
changing hands. How can it be satisfac-
torily certified to the Custom-house that
all the consents have been obtained; or
how is any party to set about procuring
them all, or to know when he has accom-
plished it?

"There are other difficulties of detail
which occur to me. For instance, a party
who cannot fulfil the conditions in the
port of London, may not find any difficulty
in doing so at Rochester, because of corn
previously bonded at the latter port there
is none. In that case, the London owner
may either remove his corn to Rochester,
or import fresh corn from the continent
into that port, and the law would be dif-
f erent in different ports, though possibly
very near to one another.

"Had your proposal been, that no corn
bonded after the passing of the present
Bill should be allowed to be entered for
home consumption till the average price
had reached 66s., and that thenceforward
all corn so bonded, or thereafter imported
should come under the regulations of the Bill, individually I should not object to such a proviso. It would ensure that no quantity beyond that now in bond should be thrown upon the market, unless, in spite of that quantity, the price reached a level which might fairly be taken as an indication of our being in want of a further supply from abroad.

"But I am afraid that even this Amendment would prove fatal to the Bill in our House."—I remain, &c.

"W. HUSKISSON." 

Now, what he meant to state was simply this,—that, up to the price of 66s., the corn now actually locked up should have a priority, and that henceforth that and all other corn should be under the regulations of the bill. He had intimated that there were five hundred thousand quarters of corn in bond, which corn might be taken as the representative of so much British capital, much of which had, in all probability, been brought here under the authority of measures either already taken or pledged to be taken, and he, therefore, did think that it was entitled to a priority up to the price of 66s. But then it was merely pro hac vice, and nothing approximating to permanency. It was to give a preference to this corn, and not to the foreign corn, as had been erroneously stated. He must say, that he should always look upon it as a matter of regret, that his noble friend, who had done him the honour to consult him upon this subject, to take his opinion on one clause, and then, considering his reasons against that clause to be valid and conclusive, had not hesitated to abandon it,—he should always look upon it as a matter of regret, that his noble friend did not tell him that he had another clause to propose. If he had done him that favour, the misapprehension would have been spared, and his noble friend would have been set right. He certainly was never so much surprised as when a friend of his, not a member of the other House, informed him, on the 2nd of June, that the duke of Wellington had proposed a clause, by way of amendment to the corn bill, and that the noble duke had stated, that he had his (Mr. Huskisson's) sanction for it. The moment he received this intimation, he lost no time in writing to the noble duke, telling him that he was not only totally ignorant that the noble duke was going to propose any clause, but that, if he was rightly informed of the nature of it, he was totally opposed to it. In the same letter he had explained to the noble duke the spirit and feeling under which he had communicated with him on the subject of the clause. And now he would ask his right hon. friend, the member for Oxford, if this was a fair history of the amendment of his noble friend which now formed a part of the bill, how it could possibly happen that he (Mr. Huskisson) could be in the slightest degree answerable for it,—and upon what grounds his right hon. friend could say, that all the objections, and all the ridicule, to which that amendment had been subjected, were equally applicable to him. His noble friend moved his amendment on the 1st of June, when his own individual opinion might have been that he was correct in citing his (Mr. Huskisson's) authority for the clause; but, on the 2nd of June, his noble friend was perfectly aware that he had misconstrued his letter. It must also be recollected, that from that time nothing more was done with the amendment, until the following Thursday. Now, seeing that the noble duke was fully informed that he had misapprehended his (Mr. Huskisson's) letter, and that the clause which he had proposed would be fatal to the bill, if he did not think it of vital importance, why did his noble friend persist in going on with it? Why press an amendment, which no human being in that House could think any thing but actual destruction to the bill? He could only say, that whatever might be the reason, the individual who was now addressing them could not be made chargeable with the measure. He would not do the noble duke the injustice of taking the merit of it; and he must protest against its being fathered upon him, who had no share whatever in the matter. He was sorry to trespass so long on the time of the House with this subject; but he must beg to call their attention to the letter which he wrote to his noble friend, on hearing that he had proposed his amendment in the House of Lords:

"Somerset-place, June 2, 10 a. m.

"My dear Duke; I have this moment heard with great surprise, that in moving an amendment last night on the corn-bill, you urged that amendment as having been consented to by me, and that to prove my consent, you read a private letter, which I had written to you, in answer to one which I had the honour to receive from you on the 24th ult.

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As I did not even keep a copy of that letter, and as your grace has felt yourself at liberty, without any subsequent communication of any sort with me, to make this public use of it, I feel it necessary to request from you a copy of that letter, as without it I cannot enter upon that explanation of my own conduct which the use that has been made of my letter renders necessary.

As I have only yet received a very imperfect report (not from any peer) of what passed last night on your moving the amendment, this is not the occasion to make any further observations upon the subject.

I must, however, be allowed to say that, be the amendment what it may, it had not my consent; and that if my consent (as is perhaps erroneously reported to me) was urged in any way as a ground for pressing its adoption, I must protest against the authority of my name having been used for that purpose.

Though I cannot recollect the wording of my private letter, I well know the feelings with which I wrote it. I considered it as strictly private, addressed to a colleague with whom I had sat in cabinet upon lord Liverpool's corn bill, who had concurred in that measure, and who was, therefore, considered by me as anxious for its success: and my recollection greatly deceives me if I did not convey to your grace that any amendment, such as I now understand to have been carried on your proposal, would be fatal to that measure. I remain, &c. (signed) W. Huskisson.

On the same day he received from the noble duke the following answer:—

"London, June 2, 1827.

"My dear Huskisson; According to your desire, I send you a copy of your note of the 24th of May, in answer to mine of that date, in which I proposed for your consideration a clause to be proposed to be added to the corn-bill, having for its object to prevent the use of the warehouse system to promote frauds in the proposed modes of taking the averages.

"My object in consulting you was, to obtain your opinion and sanction for what I proposed to do; and having obtained, instead of your sanction to what I proposed, your suggestion of another measure, I adopted it.

"I showed your note, and the clause which I had drawn in conformity with your suggestion, to lord Goderich, who, I erroneously conceived, consented to what I intended to propose; and I stated the contents only when he stated his dissent from my proposition, which was in fact your own.

"In respect to the bill being thrown out in consequence of this or any other alteration, that is a matter that depends entirely upon the government. Ever yours, most faithfully, Wellington."


**House of Commons.**

**Corn Trade.**

exact that it may be taken out of warehouse at all times, upon payment of the duties specified in the schedule.

"Your amendment is not a proviso pro hac vice, qualifying for a special purpose, and, according to all probability, for a very limited time, the general regulations of the bill: but it is a permanent enactment directly contravening those regulations.

"Having thus, I trust, made clear the difference between your amendment and the proposition contained in my letter of the 24th, it is only further necessary for me to state the reason which induced me to intimate to you, at the close of that letter, my apprehension that the giving effect to such a proposition would be fatal to the bill.

"I conceived that you would think it better not to risk the fate of this important measure, by proposing any amendment, however much it might be agreeable to some parties, if you were aware that the necessary effect of its being adopted would be to put an end to the measure altogether.

"The amendment which you have carried cannot, I am persuaded, be ascended to by the House of Commons. This is not a matter that depends upon the government; and you must allow me to add, that were a new bill to be brought in, embracing that amendment, it would be no longer even in principle the measure agreed to in Lord Liverpool's cabinet, but one of a very different character.

"W. Huskisson."

In answer to this letter, he received one from his noble friend, lamenting the mistake into which he had fallen, and saying that he could only regret that he found himself bound, in duty, to persevere in the course which he had taken. He had now discharged a very painful duty, which he had been called upon to perform, in consequence of the public discussion which had taken place on what had passed between him and his noble friend. He would only add, that the high respect which he entertained for his noble friend, and the many personal acts of kindness which he had received at his hands, prevented the existence of any other feeling, on his part, than that of variance of opinion with his noble friend upon this point. He trusted that nothing else existed on the part of his noble friend.—He would now make a few observations on the propositions before the committee.—He should never have expected that a proposition such as the hon. member opposite had made would have come from that quarter. The House was now called upon to negative all the preceding votes of the session, and to disclaim their own consistency. Surely the hon. member must be aware, that the rule respecting trade in foreign corn was, that it should be admitted under certain occasional regulations and prohibitions. The hon. member, however, seemed inclined to make prohibition the rule, and importation merely occasional. The hon. member for Essex seemed to think that 70s. a quarter was a fair price for corn free of duty. But, had the hon. member so far forgotten the views which the House had lately expressed upon the subject, as seriously to say that, up to 70s., there should not be one grain of foreign corn admitted? The hon. member seemed, indeed, to think that the House had completely lost sight of a system founded on prohibition, and had determined to adopt a more liberal system than the law of 1815 allowed them to adopt. That law never came into full force until the years 1816 and 1819; and such were its effects at those periods, that general reprobation was expressed throughout the country, both by the agricultural and manufacturing interests. The hon. member seemed to think it quite consistent with the previous opinion given by a majority of the members in that House, that 70s. ought to be the price at which wheat might come in at a duty of 17s. He proposed, as a safe mode of legislation, to lock up all corn in bond, and not to admit it to be imported, until the price reached 70s.; and this he proposed at a period when 60s. was insufficient to protect the holders of corn. —There was another point to which he wished to refer. The hon. member for Essex had, no later than last Thursday, stated, when on the subject of the currency, that 60s. of the present day was equivalent to 80s. of the year 1815. In this opinion he felt disposed to agree; but he would ask the hon. member, if 80s. of the year 1815 was equal to 60s. now, then what was his proposal of 70s.? Why, it was equal by his own showing to 95s. of the year 1815. So that his proposition amounted to this—that 95s. was the price at which corn might be admitted; with this difference, however, that the law of 1815 admitted foreign corn free of duty; and now at a price of 95s. a duty of 25s. was chargeable upon it. The hon. gentleman,
in order to be consistent, ought to have money as cheap as it was in 1815; and then corn would have been at the same price that it bore prior to that year. He was warranted in stating, from past experience, that the renewal of the law of 1815 would cause an undue flow of corn into the country. The hon. member must perceive, that the price of 80s. could no longer be sustained; and he must also see, that to alter the present bill, and substitute the price of 70s., would be to make the measure altogether nugatory. If you adopt the price of 70s., you adopt that price which might come into operation under circumstances of great pressure, when the failure of the harvest in this country should render foreign importation necessary; and he had already shown that 70s. then, was equal to 95s. now. Did the hon. member for Essex mean, by his measure, to call into action the system of averages? or did he think it a matter of indifference to the country at large, that foreign corn should be shut out for three months longer? He, as a choice of evils, distinctly preferred 80s. to the price mentioned by the hon. member for Essex; because the former price was, in point of fact, tantamount to a prohibition, and because, under the operations of that law, the system of averages could have no mischievous effects, and would in fact be a dead letter. He perfectly agreed with his right hon. friend, that it would indeed be a very great misfortune if the country were to remain for an indefinite period without any measure being decided upon with regard to the vital question now before the House. The evils which its prorogation would create would be felt not only by the great majority of the people; but the agricultural interest would also feel deeply the misfortune of delay, by which they were precluded from carrying into operation the several agreements into which landlord and tenant had entered to meet the new state of things, and all of which would necessarily remain unsettled by the state in which this law was left. He felt the misfortune of this delay the more, when he reflected on the late period of the session: and when his right hon. friend said, that it would be better that the House should sit until the end of July, in order to pass some measure of relief, he agreed with him that it would be so, if by protracting the session he could hope for such a result. His right hon. friend said, he wished to see the bill with its amendments passed into a law: he could only say, that if his right hon. friend would undertake to pass a measure similar to that which was rendered useless by the introduction of the noble duke's amendment, then his right hon. friend might be sure of his support. But the amendment proposed by his right hon. friend (Mr. Canning) could have been proposed elsewhere; and he owned he felt rather surprised that a noble friend of his, lately a colleague (lord Bathurst), had not proposed such a clause. Really, after so much discussion, deliberation, and delay, he could see no chance whatever of passing any bill, unless the House were so far to compromise its consistency, and stultify its own acts, as to adopt an amendment which would establish warehouses in foreign ports, and expose the corn intended for the British market to all the hazard of fluctuating prices, and the impediments which foreign powers at variance with this country, would be sure to throw in our way. At no time could we adopt such a measure; and therefore he should give his support to the amendment of his right hon. friend; for he felt that to introduce a measure of a permanent nature would be to subject it to the fate which attended the bill in the other House. And how could he suppose otherwise, when he reflected that the noble duke gave the measure his sanction when first it was introduced, and opposed it in a subsequent stage, notwithstanding the convincing reply to his objections which was urged by a noble friend (lord Goderich), and which met with no other answer than this—"Here is our amendment, we know it is fatal to the bill, and are determined to carry it." Would it not be exposing the House to a similar result, if any other than a temporary measure were now proposed? It was therefore with regret he confessed that a bill similar to that which was rendered abortive could not be again introduced,—that bill, which was carried by the House with a triumphant majority, the effects of which would soon have spread throughout the empire, lulling irritation and angry feeling wherever they existed, and which for years past had prevailed in society in consequence of the unsettled state of this question—that bill which had awakened the hopes of those whom it was intended to relieve, and which, if it possessed no other merit, would at least have redeemed the
character of the landed interest from the imputation that, from the year 1815 to the present period, they had shut their eyes and their ears to the distresses of their fellow-countrymen. There was one other topic on which he wished to make one or two remarks. It had been quoted against him, that he held that England ought not to have a sufficiency of corn for her people to depend on. It was not likely that he had been supposed to mean that, because he valued the independence of the country, and the agriculture of the country, and the interests of the landed and commercial classes, the country as a whole, should always lament, and which he hoped, his intention to inquire by what instrumentality those hopes and wishes had been disappointed; but he thought that if ministers had not refused to go on with a bill upon which there had been grafted a clause subversive of its principle, they would not have been entitled to the praise they deserved. If, in another place, the late measure was opposed, the present resolutions of the hon. member for Essex could not be agreed to; for they were more opposed to the principle adopted by the late ministers, than even the mutilated bill, the loss of which they proposed to supply. He should give his support to the resolutions of the right hon. gentleman, which contained as much good as could be expected at that late period of the session. If there needed any confirmation of which had been the master mind in the late ministry—if there was any thing wanted to mark out the great and splendid distinction between those who left and those who remained in office—that difference would now be recognized by the whole body of the people.

Mr. Western shortly replied. He said, he was glad to learn from the chancellor of the Exchequer, that he did not propose his measure with a view of ruining the agriculture of the country—that he did not contemplate the putting the bad lands out of cultivation—and that he wished to secure to the country a sufficient supply, without depressing the agriculture of this country. He and the right hon. gentleman were now agreed in their views of the importance of agriculture, and neither wished to see it diminished. These, however, were not the impressions circulated by those publications which advocated the repeal of the Corn-laws. They wished to promote the manufactures of this country at the expense of our own agriculture, and by encouraging the agriculture of foreign countries. To this system he was opposed. He preferred his own measure, because the resolutions proposed by the right hon. gentleman would only allow the corn now in bond to be taken out, and then the country would...
Corn Trade.

JUNE 18, 1827.

Be in the same state it was now in; while his own resolutions would bring the act of 1822 into operation, and insure a large supply of corn, if necessary.

Mr. Canning begged to say a few words in reply to the only objection offered to his resolutions. He should begin by answering a question which had been put by the hon. member for Essex. He did consider that it was the bounden duty of the House to support the agricultural interest; but he did say, that the course which had been pursued, for a series of years, with regard to this subject, was not calculated to promote the interest of the agriculturists, and that in no instance was it plain and clear, their real interests had been consulted. He blamed not those who were the authors of the measures he referred to; it was by mere accident that, in the years 1815 and 1822, he was not a party to them. But there had been a great and grievous mistake throughout in respect to the agricultural question. He considered that the bill which had been sent up to the Lords afforded protection to the agricultural interest in one point, of all things most desirable; it was not highness or lowness which it was calculated to effect, but steadiness. The country would not have had to go through the ruinous fluctuations of former years, which pressed with equal violence on opposite, and sometimes conflicting, but consentient interests. He did think that the bill in the House of Lords, if it had been allowed to pass, would have gone as far towards accomplishing the object in view, as any thing he could think of, or as had been proposed by others. On that ground, the bill had his concurrence; and such a bill should have his support if introduced in the ensuing session. To the principle of protecting duties instead of prohibition, he was decidedly favourable: it was advantageous to the corn trade at home; it enabled growers and importers to go on amicably together, assisting, and not running counter to, each other. Upon these principles the bill was founded. The hon. member for Essex asked, whether there was a difference between a prohibition and a prohibitory duty? He answered yes; there was the same difference in respect to the corn trade, as in respect to other trades: and was there any other trade to which the question could apply? Under a non-prohibitory system, the trade would be going on, whereas under a prohibitory it stagnated altogether; the supply would be stilted when it was most wanted, and would at other times overflow. The non-prohibitory system placed the corn trade on that wholesome footing upon which it ought to stand; leaving it to all the risk of occasional speculation, but offering no powerful stimuli on one side or the other. Such was the difference between prohibition and prohibitory duties.

When protecting duties were introduced, the motive was taken away to extravagant speculation, as in 1819, which was injurious to the consumer, and overwhelmed the agriculturists with ruin. He now proceeded to the only objection taken to his own resolutions. It was asked why, instead of a temporary measure, he did not introduce a permanent one? He answered, because he did not wish to subject it to that fate which had attended the last; because he felt that there was a determined spirit in the other House to reject whatever the Commons should agree to on this subject [cheers]. Was there any man in this House, who, when out of it, would say he believed there was no such thing? He (Mr. Canning) had conversed with persons of all sentiments and all persuasions, some of whom had felt anger, some regret, and some triumph, at the fate of the bill; but he had not met with any individual who would say, that he believed there were one hundred and thirty-three votes given in favour of a certain amendment, without some other bond of sympathy besides a disinterested conviction that the measure was honest. He had conversed with those who walked the streets, and he had not met with one who gravely thought that the coincidence arose from a conviction that the measure was beneficial. Did he, by this, accuse any one of faction? No such thing. He had listened to the correspondence which had been read that night by his right hon. friend, and he must say that he was not convinced that the duke of Wellington did not labour under some misapprehension, and did not think that he was doing that which was beneficial. He could not exclude from his consideration, that even so great a man as the duke of Wellington had been made an instrument in the hands of others on that occasion [some few cries of "order" followed this sentence; but they were instantly lost in loud and continued shouts of "hear, hear!"].

History afforded other instances in which equally
which jsct, it bill ganrtoafN!e~ns wdisr the interim, the these correspondence had now to the same He the interim, the these leger had been made the instruments of others, for their own particular views. He did believe that the amendment moved by his grace was not at first intended by him, but that in the first instance certain words omitted in the first clause led the way to that amendment. As to the numbers by which that amendment was carried, he must say, that he believed it impossible to get together such discordant materials (differing as they did on so many other points), acting from a conviction of the merits of that amendment. He looked upon the union not as arising from the merits of the question, but from some deep-rooted design to produce another effect in the other House, or that House, or elsewhere. He repeated his belief, that the duke of Wellington acted from a conviction of what he thought was right; and he fully acquitted him of any hostile intentions in the course he pursued. From the correspondence which was read that night, there was no doubt that the noble duke acted conscientiously, on what he understood to be the meaning of his right hon. friend's letter. However, the delusion, or whatever else it might be called, which had led to that result, would die away before the next session, more especially if the subject, as no doubt it would, should become matter of discussion, out of doors. For these reasons he would, in the course of the next session, if better advised in the interim, introduce a measure founded on the same principles, and having the same object as that, the loss of which they had now to regret; and would to God that it might be then time enough to realize advantages equal to those which the late bill would have produced [cheers].

The committee then divided: For the original motion 52; For Mr. Canning's amendment 238; Majority 186.

Coventry Magistracy Bill.] On the order of the day for the third reading of this bill, Mr. Fylde opposed the third reading of the bill, declaring that it was founded on a principle unconstitutional and unjust. He moved as an amendment, that it be read a third time on that day three months.

Lord W. Russell thought that other remedies ought to be applied to the evils which were visible in the management of the Coventry jurisdiction. In his opinion, the bill inculcated a principle highly dangerous to a free constitution; namely, that of non-responsibility in public offices; and as a member wholly unconnected with either party, he felt bound to oppose it.

Mr. Birch opposed the bill, and contended that the magistrates of towns had, on the occasion of the Luddite riots, and at various other times, shown themselves prompt and active in the execution of their duty, while the county magistrates were either inactive, or at too great a distance to render any assistance.

Mr. Van Homrigh insisted that a bill of this kind, uncalled for and unsupported by any evidence, was ex post facto, novel, capricious, and calculated to do no credit to the House.

Lord Sandon said, that instances of perjury at the election had been adduced, which not only proved the vice of the individuals, but the vice of the system. No attack had been made upon corporate rights, generally: a single remedy had only been applied to a single grievance. The Attorney-General said, he saw nothing unconstitutional in the proposed measure. From the statements which had been made, he thought that legislative interference was necessary in this case. When assaults were proved to have been committed with impunity; when persons were not allowed to go up freely to poll; there was evidently a want of authority in the magistrates that ought to be remedied.

Mr. Fox had very justly said, that chartered privileges ought not to be invaded by law, unless a very strong case were made out. In this doctrine he fully agreed. Those privileges were given to particular bodies, not for themselves, but for the public benefit; and, when the public benefit was not secured, then the legislature had a right to remedy the evil. With these impressions he should vote for the bill.

Mr. Peel thought the present extensive measure of redress altogether uncalled for by the alleged grievance. The remedy was worse than the disease. What was the case with respect to Coventry? A committee had been appointed to inquire into the validity of the election of the members, and they decided that three of two members were duly elected; but then they turned round and found the magistrates guilty upon an indictment which had never been preferred. He called upon the House to consider the nature of the present bill before they passed it. By that bill they were about to give to the magistracy of the county of Warwick a concurrent jurisdiction, not
Private Bills.

June 19, 1827.

House of Commons.

Tuesday, June 19.

Private Bills. Mr. Hume, pursuant to notice, rose to move a series of Resolutions for the future regulation of proceedings on Private Bills. He stated, that it was not his intention to do any thing more than move the assent of the House to them during this session; but that, early in the next, he would move for their regular adoption. The hon. member then moved the following Resolutions:—

1. "That all Private Bills directed by the Standing Orders to be printed shall have the blanks filled up in Italics.

2. "That in all cases (except specially agreed upon by the parties in writing) every Private Bill shall be read a second time, ten days after the first reading, if a day shall not have been fixed by the House at the first reading of the Bill, or the Bill to be abandoned for that Session.

3. "That there be fourteen days between the first and second reading of all Private Bills relating to Ireland.

4. "That there be six clear days between the second reading of every Private Bill and the sitting of the Committee thereupon.

5. "That the promoters or opposers of every Private Bill do provide (where practicable) printed copies of any new Clauses to be submitted to the Committee, or proposed to be added to the Bill on the report or third reading.

6. "That there be seven clear days between the day on which every bill within the Standing Orders is reported, except Names' Bills, Naturalization and Estates Bills, and the day when the Report shall be taken into consideration.

7. "That every Private Bill, as amended by the Committee, be printed at the expense of the parties applying for the same, and be delivered to the Members three clear days, at least, before such Report shall be taken into consideration.

8. "That due notice be given by the promoters or opposers of any Private Bill of their intention to move any new clause, or make any alteration in the Bill, on the report or third reading.

9. "That there be one clear day's notice given of the third reading of every Private Bill."

Mr. Wynn said, he would not be pledged to the adoption of the resolutions, though he had no immediate objection to urge to
exact that it may be taken out of warehouse at all times, upon payment of the duties specified in the schedule.

"Your amendment is not a proviso pro hac vice, qualifying for a special purpose, and, according to all probability, for a very limited time, the general regulations of the bill: but it is a permanent enactment directly contravening those regulations.

"Having thus, I trust, made clear the difference between your amendment and the proposition contained in my letter of the 24th, it is only further necessary for me to state the reason which induced me to intimate to you, at the close of that letter, my apprehension that the giving effect to such a proposition would be fatal to the bill.

"I conceived that you would think it better not to risk the fate of this important measure, by proposing any amendment, however much it might be agreeable to some parties, if you were aware that the necessary effect of its being adopted would be to put an end to the measure altogether.

"The amendment which you have carried cannot, I am persuaded, be acceded to by the House of Commons. This is not a matter that depends upon the government; and you must allow me to add, that were a new bill to be brought in, embracing that amendment, it would be no longer even in principle the measure agreed to in Lord Liverpool's cabinet, but one of a very different character.

"W. Huskisson."

In answer to this letter, he received one from his noble friend, lamenting the mistake into which he had fallen, and saying that he could only regret that he found himself bound, in duty, to persevere in the course which he had taken. He had now discharged a very painful duty, which he had been called upon to perform, in consequence of the public discussion which had taken place on what had passed between him and his noble friend. He would only add, that the high respect which he entertained for his noble friend, and the many personal acts of kindness which he had received at his hands, prevented the existence of any other feeling, on his part, than that of variance of opinion with his noble friend upon this point. He trusted that nothing else existed on the part of his noble friend.—He would now make a few observations on the propositions before the committee.—He should never have ex-

Corn Trade. 1336
pected that a proposition such as the hon. member opposite had made would have come from that quarter. The House was now called upon to negative all the preceding votes of the session, and to disclaim their own consistency. Surely the hon. member must be aware, that the rule respecting trade in foreign corn was, that it should be admitted under certain occasional regulations and prohibitions. The hon. member, however, seemed inclined to make prohibition the rule, and importation merely occasional. The hon. member for Essex seemed to think that 70s. a quarter was a fair price for corn free of duty. But, had the hon. member so far forgotten the views which the House had lately expressed upon the subject, as seriously to say that, up to 70s., there should not be one grain of foreign corn admitted? The hon. member seemed, indeed, to think that the House had completely lost sight of a system founded on prohibition, and had determined to adopt a more liberal system than the law of 1816 allowed them to adopt. That law never came into full force until the years 1818 and 1819; and such was its effects at those periods, that general reprobation was expressed throughout the country, both by the agricultural and manufacturing interests. The hon. member seemed to think it quite consistent with the previous opinion given by a majority of the members in that House, that 70s. ought to be the price at which wheat might come in at a duty of 17s. He proposed, as a safe mode of legislation, to lock up all corn in bond, and not to admit it to be imported, until the price reached 70s.; and this he proposed at a period when 60s. was insufficient to protect the holders of corn.

—There was another point to which he wished to refer. The hon. member for Essex had, no later than last Thursday, stated, when on the subject of the currency, that 60s. of the present day was equivalent to 80s. of the year 1815. In this opinion he felt disposed to agree; but he would ask the hon. member, if 80s. of the year 1815 was equal to 60s. now, then what was his proposal of 70s.? Why, it was equal by his own showing to 95s. of the year 1816. So that his proposition amounted to this—that 95s. was the price at which corn might be admitted: with this difference, however, that the law of 1815 admitted foreign corn free of duty; and now at a price of 95s. a duty of 25s. was chargeable upon it. The hon. gentlemen,
in order to be consistent, ought to have money as cheap as it was in 1816; and then corn would have been at the same price that it bore prior to that year. He was warranted in stating, from past experience, that the renewal of the law of 1815 would cause an undue flow of corn into the country. The hon. member must perceive, that the price of 80s. could no longer be sustained; and he must also see, that to alter the present bill, and substitute the price of 70s., would be to make the measure altogether nugatory. If you adopt the price of 70s., you adopt that price which might come into operation under circumstances of great pressure, when the failure of the harvest in this country should render foreign importation necessary; and he had already shown that 70s. then, was equal to 95s. now. Did the hon. member for Essex mean, by his measure, to call into action the system of averages? or did he think it a matter of indifference to the country at large, that foreign corn should be shut out for three months longer? He, as a choice of evils, distinctly preferred 80s. to the price mentioned by the hon. member for Essex; because the former price was, in point of fact, tantamount to a prohibition, and because, under the operations of that law, the system of averages could have no mischievous effects, and would in fact be a dead letter. He perfectly agreed with his right hon. friend, that it would indeed be a very great misfortune if the country were to remain for an indefinite period without any measure being decided upon with regard to the vital question now before the House. The evils which its protraction would create would be felt not only by the great majority of the people; but the agricultural interest would also feel deeply the misfortune of delay, by which they were precluded from carrying into operation the several agreements into which landlord and tenant had entered to meet the new state of things, and all of which would necessarily remain unsettled by the state in which this law was left. He felt the misfortune of this delay the more, when he reflected on the late period of the session: and when his right hon. friend said, that it would be better that the House should sit until the end of July, in order to pass some measure of relief, he agreed with him that it would be so, if by protracting the session he could hope for such a result. His right hon. friend said, he wished to see the bill with its amendments passed into a law: he could only say, that if his right hon. friend would undertake to pass a measure similar to that which was rendered useless by the introduction of the noble duke's amendment, then his right hon. friend might be sure of his support. But the amendment proposed by his right hon. friend (Mr. Canning) could have been proposed elsewhere; and he owned he felt rather surprised that a noble friend of his, lately a colleague (lord Bathurst), had not proposed such a clause. Really, after so much discussion, deliberation, and delay, he could see no chance whatever of passing any bill, unless the House were so far to compromise its consistency, and stultify its own acts, as to adopt an amendment which would establish warehouses in foreign ports, and expose the corn intended for the British market to all the hazard of fluctuating prices, and the impediments which foreign powers at variance with this country, would be sure to throw in our way. At no time could we adopt such a measure; and therefore he should give his support to the amendment of his right hon. friend; for he felt that to introduce a measure of a permanent nature would be to subject it to the fate which attended the bill in the other House. And how could he suppose otherwise, when he reflected that the noble duke gave the measure his sanction when first it was introduced, and opposed it in a subsequent stage, notwithstanding the convincing reply to his objections which was urged by a noble friend (lord Goderich), and which met with no other answer than this—"Here is our amendment, we know it is fatal to the bill, and are determined to carry it." Would it not be exposing the House to a similar result, if any other than a temporary measure were now proposed? It was therefore with regret he confessed that a bill similar to that which was rendered abortive could not be again introduced—that bill, which was carried by the House with a triumphant majority, the effects of which would soon have spread throughout the empire, lulling irritation and angry feeling wherever they existed, and which for years past had prevailed in society in consequence of the unsettled state of this question—that bill which had awakened the hopes of those whom it was intended to relieve, and which, if it possessed no other merit, would at least have redeemed the
character of the landed interest from the imputation that, from the year 1815 to the present period, they had shut their eyes and their ears to the distresses of their fellow-countrymen. There was one other topic on which he wished to make one or two remarks. It had been quoted against him, that he held that England ought not too largely and frequently to depend on other countries for their supply of corn. He maintained that doctrine in 1815; he held it now; he thought nothing could be so dangerous to this country as to rely too largely and too frequently on foreign countries for their supplies of corn. But he could conceive a state of things which might be attended with most dangerous consequences, if such a bill as the one that had been proposed did not exist. He hoped he had now stated his reasons fairly. His object was, to restore the Corn-law to what it was in 1773. He wished to make this country independent of foreigners, commercially as well as politically. The committee might be assured, that, so long as it was the interest of foreigners to produce distress here, and cause political discontent, they would be unceasing in their efforts to do so. It was because he valued the independence of the country, and not that he wished to undermine it, that he had supported the measure, the loss of which was so generally deplored. With respect to the letter to which allusion had been made, he disclaimed the compliments which had been paid to it. All he could say of it was, that it was directed to the purposes for which it was written, and not, as had been supposed, to revive the prohibition of 1815. Being himself the party, who, as a private member of parliament, in 1814, proposed a graduated scale of prohibitory duties which was matured afterwards by the wisdom and experience of lord Liverpool, it was not likely that he would recommend a principle utterly inconsistent with that suggestion. That principle was the basis of the very measure the loss of which he should always lament, and which he hoped, early in the next session, this House, and it was to be hoped the other, would have the wisdom to repair.

Lord Morpeth observed, that in the measure which had failed elsewhere, the agricultural interest, though not perfectly satisfied, had obtained more than they expected, whilst the commercial classes, in fact, all the consumers—were content.

One great mistake had, however, been committed, by the indulgence of a foolish credulity, in supposing that, when the measure reached that place where one of those interests prevailed, and where a generous principle ought to prevail, the wishes and the hopes of the country would be gratified [cheers]. It was not his desire nor his intention to inquire by what instrumentality those hopes and wishes had been disappointed; but he thought that if ministers had not refused to go on with a bill upon which there had been grafter a clause subversive of its principle, they would not have been entitled to the praise they deserved. If, in another place, the late measure was opposed, the present resolutions of the hon. member for Essex could not be agreed to; for they were more opposed to the principle adopted by the late ministers, than even the mutilated bill, the loss of which they proposed to supply. He should give his support to the resolutions of the right hon. gentleman, which contained as much good as could be expected at that late period of the session. If there needed any confirmation of which had been the master mind in the late ministry—if there was any thing wanted to mark out the great and splendid distinction between those who left and those who remained in office—that difference would now be recognized by the whole body of the people.

Mr. Western shortly replied. He said, he was glad to learn from the chancellor of the Exchequer, that he did not propose his measure with a view of ruining the agriculture of the country—that he did not contemplate the putting the bad lands out of cultivation—and that he wished to secure to the country a sufficient supply, without depressing the agriculture of this country. He and the right hon. gentleman were now agreed in their views of the importance of agriculture, and neither wished to see it diminished. These, however, were not the impressions circulated by those publications which advocated the repeal of the Corn-laws. They wished to promote the manufactures of this country at the expense of our own agriculture, and by encouraging the agriculture of foreign countries. To this system he was opposed. He preferred his own measure, because the resolutions proposed by the right hon. gentleman would only allow the corn now in bond to be taken out, and then the country would
be in the same state it was now in; while his own resolutions would bring the act of 1822 into operation, and insure a large supply of corn, if necessary.

Mr. Canning begged to say a few words in reply to the only objection offered to his resolutions. He should begin by answering a question which had been put by the hon. member for Essex. He did consider that it was the bounden duty of the House to support the agricultural interest; but he did say, that the course which had been pursued, for a series of years, with regard to this subject, was not calculated to promote the interest of the agriculturists, and that in no instance was it plain and clear, their real interests had been consulted. He blamed not those who were the authors of the measures he referred to; it was by mere accident that, in the years 1815 and 1822, he was not a party to them. But there had been a great and grievous mistake throughout in respect to the agricultural question. He considered that the bill which had been sent up to the Lords afforded protection to the agricultural interest in one point, of all things most desirable; it was not highness or lowness which it was calculated to effect, but steadiness. The country would not have had to go through the ruinous fluctuations of former years, which pressed with equal violence on opposite, and sometimes conflicting, but consentient interests. He did think that the bill in the House of Lords, if it had been allowed to pass, would have gone as far towards accomplishing the object in view, as any thing he could think of, or as had been proposed by others. On that ground, the bill had his concurrence; and such a bill should have his support if introduced in the ensuing session. To the principle of protecting duties instead of prohibition, he was decidedly favourable: it was advantageous to the corn trade at home; it enabled growers and importers to go on amicably together, assisting, and not running counter to, each other. Upon these principles the bill was founded. The hon. member for Essex asked, whether there was a difference between a prohibition and a prohibitory duty? He answered yes; there was the same difference in respect to the corn trade, as in respect to other trades: and was there any other trade to which the question could apply? Under a non-prohibitory system, the trade would be going on, whereas under a prohibition it stagnated altogether; the supply would be stinted when it was most wanted, and would at other times overflow. The non-prohibitory system placed the corn trade on that wholesome footing upon which it ought to stand; leaving it to all the risk of occasional speculation, but offering no powerful stimuli on one side or the other. Such was the difference between prohibition and prohibitory duties. When protecting duties were introduced, the motive was taken away to extravagant speculation, as in 1819, which was injurious to the consumer, and overwhelmed the agriculturists with ruin. He now proceeded to the only objection taken to his own resolutions. It was asked why, instead of a temporary measure, he did not introduce a permanent one? He answered, because he did not wish to subject it to that fate which had attended the last; because he felt that there was a determined spirit in the other House to reject whatever the Commons should agree to on this subject [cheers]. Was there any man in this House, who, when out of it, would say he believed there was no such thing? He (Mr. Canning) had conversed with persons of all sentiments and all persuasions, some of whom had felt anger, some regret, and some triumph, at the fate of the bill; but he had not met with any individual who would say, that he believed there were one hundred and thirty-three votes given in favour of a certain amendment, without some other bond of sympathy besides a disinterested conviction that the measure was honest. He had conversed with those who walked the streets, and he had not met with one who gravely thought that the coincidence arose from a conviction that the measure was beneficial. Did he, by this, accuse any one of faction? No such thing. He had listened to the correspondence which had been read that night by his right hon. friend, and he must say that he was not convinced that the duke of Wellington did not labour under some misapprehension, and did not think that he was doing that which was beneficial. He could not exclude from his consideration, that even so great a man as the duke of Wellington had been made an instrument in the hands of others on that occasion [some few cries of "order" followed this sentence; but they were instantly lost in loud and continued shouts of "hear, hear!"].
perhaps, but still of very great importance: the state of the law with respect to the Recovery of Small Debts.

This subject was originally undertaken by the noble lord the member for Northampton (lord Althorp). It was at his instance that a committee was appointed; through his perseverance that those inquiries were instituted, which established a fact not very creditable to the law of England—that there exists no remedy of which any prudent man will avail himself for the recovery of small debts. I use the words "small debts" in deference to the prevailing use of those words; but we ought never to forget, that the terms "large and small," as applied to debts, are relative terms; that the real magnitude of a debt, or any other pecuniary transaction, depends upon the pecuniary means of him who is a party to it; that the amount of debt, which may be scarcely discernible by the eye of Mr. Rothschild, is no trifling object in the eye of him whose whole capital does not exceed twenty pounds.

To close the avenues of justice, as to the recovery of debts to all those classes of society who subsist by labour, or by the retail of commodities, and who are compelled by the habits of society, to give credit to the parties with whom they have dealings, affords a just ground for complaint, and is a real grievance, for which a remedy must be devised.

I presume that it is hardly necessary to adduce proofs, that the existing state of the law with respect to the recovery of small debts is very imperfect. I speak of the law as it applies to the country generally, and except, of course, those special acts of the legislature, which have, by the establishment of courts of conscience, and courts of request, given, in large towns and some few other places, local relief.

The court to which, in ordinary cases, appeal must be made for the recovery of debts below forty shillings is the county court. Its jurisdiction is not expressly limited to debts below the amount of forty shillings, but it may be considered to be so limited practically; because, if the amount of the debt for which a proceeding is instituted in the county court exceeds forty shillings, the suit is removable, at the will of the defendant, into the superior courts.

By the common law, the suitors are the judges of the county court, and the sheriff is only a ministerial officer; but, according to the existing usage, for all practical purposes, the sheriff or his deputy is the judge, and the suitors act as jurors.

We find, then, in existence, at present, a court of very ancient institution, familiar therefore to the people; founded on good principles and of known, and defined powers and constitution. It appears to me to be a wise course to retain and to improve this institution; to enlarge the sphere of its operation, and to infuse into it new energy and vigour, rather than to supersede it by the establishment of a novel jurisdiction, resting on no foundation of antiquity, with no prescription to plead in its favour, and in the constitution of which, in every step, an experiment of doubtful issue must be made.

The complaint against the county court it not that it is defective in principle, but that it gives no effectual redress on account of the smallness of the sums which are alone recoverable in it, and still more on account of the expense of the proceedings, as compared with the amount of the debt. I propose, therefore, in the first instance, to enlarge the sum for which an action for debt can be maintained in the county court: to raise it from forty shillings to ten pounds. If regard be had to the decrease in the value of money, ten pounds is, probably, not a greater sum now than forty shillings was at the time that the power of the court was limited to debts of that amount. If upon trial it shall appear that the court gives an effectual remedy in the case of debts below the amount of ten pounds, and that justice within these limits is administered with general satisfaction to the people, nothing will be more easy than to extend the power of the court, and enlarge its jurisdiction to the amount of fifteen or twenty pounds.

The great source of complaint is in the expense and unnecessary complexity and length of the proceedings. An attempt to recover a debt of forty shillings in the county court, will, at present, if the action be defended, entail an expense varying in amount from about seven to fifteen pounds.

If there be no defence, no obstruction to the immediate decision of the court, the expense will in very few, if any cases, fall short of three or four pounds. The proceedings are nearly equal in length, and require quite as much of technical nicety, as the proceedings in the superior courts, where the sum under litigation may be of an indefinitely greater amount.
The bill which I shall introduce, will confine the formal part of the proceedings to which a plaintiff must resort previously to the hearing of the cause, to suit and summons.

There will no longer be any necessity for wanting out the writ, which is called, technically, the Writ of Justices; without which writ, as the law at present stands, the county court can take cognizance of no debt above 40s.

The whole of the proceedings will be so simple, that any man who can read and write may insure the hearing of his action without professional assistance.

The plaintiff will be required to do nothing more than to enter in the office of the sheriff a plaint, in writing, containing his name and place of abode, the name and place of abode of the defendant, the amount of the demand, the cause why, and the time when, such demand occurred. A summons will then be issued by the sheriff or his deputy, calling upon the defendant to appear, and giving due notice of the time and place at which he will be called upon to answer the plaint.

As I before observed, all the formal proceedings that are requisite may be taken by the plaintiff himself, without the aid of an attorney.

At the trial, I do not propose by positive enactment to exclude professional assistance; but I propose that no fee shall be allowed to barristers, and that the fee payable to an attorney for his services in court be limited, in any one cause, to the sum of 10s.

With respect to the constitution of the county court, the bill will make very slight alteration in it. General usage has so far modified the original institution, that, at present, for all practical purposes, the sheriff is the judge, the suitors are the jury. And I propose that they shall still continue to act respectively in those capacities.

It may be desirable, in order that attendance on the service of the court may not be too burthensome, to qualify all persons who are liable by the jury bill to serve on petty juries at nisi prius, to serve as jurors in the county court. A smaller number than twelve will be amply sufficient to return a verdict; and the bill, therefore, as at present drawn, makes no other provision with respect to the number of jurors, than that it shall not consist of less than five.

The great object of the bill being to ensure speedy decisions, with little trouble and at little expense, I propose, not to give the right of challenging jurors, and to give no appeal from the decision of the court. The sheriff or his deputy, on any just exception being made to a juror, will no doubt set such juror aside; and in order to remedy the evil which might, in some occasional instances, result from the total want of a power to set aside a verdict founded on false testimony, or in mistake, the bill will give to the sheriff the discretionary power to order a new trial, provided that the order be given before process of execution shall have issued. I consider it infinitely better for the interests of the public generally, and more conducive to the administration of justice properly understood, that, in matters of this kind, there should be a speedy and final award, even with the risk of an occasional error, rather than that there should be protracted litigation; which, although it may end ultimately in a just judgment, according to law, consumes in its progress much more than the value of the sum for the recovery of which the litigation took place. Suppose one verdict in fifty to be erroneous, the whole amount of the injury cannot exceed 10l. Is it not better to ensure justice at this expense to forty-nine out of the fifty plaintiffs, rather than to debar the fifty of any remedy at all, through the terror of expensive proceedings and vexatious appeals?

It is no doubt true, that although the sum to which the jurisdiction of the court is limited is small in amount, an action may involve nice questions of the law; on which it would be desirable to have professional advice and assistance; the bill, therefore, will leave full power to the sheriff to call in the aid of an assessor, although it will make no provision for the permanent appointment of such an officer. His assistance may be had by the sheriff, or his deputy, whenever it may be deemed requisite: and the fund arising from certain small fees of court, which will be payable by the suitors, will provide ample means for the compensation of the assessor.

The Bill will give to the magistrates in quarter sessions, the power of dividing a county into districts, for the purpose of holding the sheriff's court in each of such districts, either by adjournment, or simultaneously, as may be hereafter determined.
jecting himself to any risk, it may be proper to require that the
sittings should be holden in each district at least once a month.

In the course of the discussions which arose in the framing of this bill, a very
important question came necessarily under consideration, namely, whether the process
of execution for small debts recovered in the county court, shall be against the
goods of the party only, or whether it shall extend to his person also?

My opinion is, that it would be advisable to limit it to the property of the party; and
that opinion is in conformity with the prevailing judgment of those whom I have consulted
in various parts of the country. Supposing the remedy were against the person of
the debtor; the expense of conveying a prisoner to gaol, and of maintaining him
there, would be a heavy and unjust burden on the county, with no advantage to
the creditor; none, at least, sufficient to counterbalance the evil and expense incidental
to confinement of the person, in cases like those for which we are now providing. I propose, however, to compensate the creditor for any risk which he
may run from the loss of his remedy against the person of his debtor, by a material and beneficial alteration in the existing law. At present, the party against
whom judgment is recovered in the county court, is liable only in respect to such portion
of his property as is situate in the county in which the judgment has been recovered. A party against whom judgment is given in the county of Surrey,
may possess property of any amount in the county of Middlesex, and may refuse satisfaction to the plaintiff, without subjecting himself to any risk in respect to the
property which he holds in Middlesex. This bill provides, that the effects of a
debtor where they may, they shall be equally subject to the execution of process
as if they were in the county from the court of which that process issued.

With the view of remedying very frequent complaints that have been addressed
to me, with respect to the misconduct and extortion of bailiffs: I propose to give to
the court a power not only to dismiss the bailiff, and to compel due payment of
money levied; but, in case of extortion, to award the payment of damages to the
party aggrieved; and in default of payment, to commit the offender to prison for
a limited time.

The only other provision of the bill which I think it necessary to notice, is
that which gives to the court a power (to be exercised at its discretion) of allowing
debts to be paid by instalments; so that an honest and industrious debtor may be
enabled gradually to liquidate a demand which he cannot satisfy at the instant.
Due precautions are at the same time taken for the purpose of guarding against
the abuse of such an indulgence.

I have now detailed the principal enactments of the bill which I propose to introduce.

It has been prepared, after much consideration, by two gentlemen of very high
character and great professional ability—Mr. Dampier and Mr. Wightman. Those
gentlemen, acting under the directions which I gave to them before I quitted office,
have made very extensive inquiries connected with the subject which was committed
to their consideration. The present bill is the result of their labours, in conjunction with my own and those of Mr. Hobhouse.

It appears to me to be preferable, in some important respects, to either of the
two bills which have been on former occasions submitted to this House.

By the first of those bills, the county court was retained, and the lord lieutenant
of the county was empowered to appoint a permanent assessor to the sheriff, with a
fixed salary of several hundred pounds per annum. This bill was subsequently modified,
by giving to the Crown the power of uniting counties into districts, and of appointing
an assessor in each district. In either case it would probably have been difficult
to ensure such appointments as would have given general satisfaction. Local
interests and connections must have prevailed to a very considerable extent in
determining the appointment to a local office, partaking of a judicial character. The
situation would have been naturally considered to be a permanent one; and, unless provision had been made for the retirement of the officer, in case of age or infirmity
(thus subjecting the county to a new expense), there would always be a painful struggle between the desire to ensure the efficient discharge of the duties of the office,
and the natural unwillingness to dismiss a public servant, whose incapacity should solely arise from age or sickness.

The second bill which was introduced,
virtually superseded the authority of the county court, and devolved practically the jurisdiction, as to small debts, upon the commissioners who make their circuit throughout the country at stated intervals for the performance of the duties which are connected with the discharge of insolvent debtors. The great respectability, and high professional qualifications, of those gentlemen who act as commissioners of the Insolvent Debtors' Court, pointed them out as very fit instruments for effecting the object contemplated by this bill. I apprehend, however, that in practice the relief which would have been given by this arrangement would have been less extensive and complete than we originally anticipated. The circuits of the commissioners are taken three times a year; the number of places at which the court must be holden, to give effectual relief as to the recovery of small debts, would be so great, that the time for which it could sit at each place must necessarily be very limited. In the event of the postponement of the trial of a cause, a period of four months must elapse before it could be heard; and there is but too much reason to believe that the consequence of such a delay would be, a constant endeavour, on the part of defendants, to postpone the hearing of their respective causes, and the occupation of the time of the court in discussing the validity of the reasons assigned for delay.

A permanent local court will not be open to these objections. Should this bill pass into a law, the county courts generally will have a jurisdiction with respect to small debts, very much resembling that jurisdiction which the county court of Lancashire exercises at the present time. By a particular statute, no action for debt to the amount of ten pounds is removable from the court of that county. The sheriff appoints an assessor, and the court sits in different parts of the county by adjournment. The bill which I shall introduce will adopt nearly the same principle; but the forms of proceeding which it will appoint, will be much more simple and less expensive. In Lancashire, it is still necessary that a writ of justices should issue from the chancery court of the county palatine, in order that the county court may have full jurisdiction over debts below the sum of £10.

At the commencement of the year I entertained a confident hope, that if the House should approve of the principle of the bill, it might pass into a law before the termination of this session. The political events that led to my retirement from office, and the time which I have been compelled to devote to the superintendence of the several bills relating to the amendment of the Criminal law, have compelled me to postpone the introduction of this bill to so late a period, that I cannot expect it to pass through all its stages, and receive the sanction of the other House of Parliament, before the prorogation. I propose, however, with the permission of the House, to pass the bill through the committee: and that after the blanks shall have been filled up, and the bill rendered perfectly intelligible, it shall be printed and generally circulated during the recess. The consideration of it may be renewed, with all the advantage of the intermediate discussion which it will undergo, at the earliest period in the next session of parliament.

If it be thought advisable that the charge of this bill, in its future stages, shall be committed to my hands, I will give it every attention in my power, with a view to render its provisions as free from objection, and as generally beneficial as they are capable of being rendered.

If, on the other hand, it be thought probable that the measure will be rendered more perfect, or that its final accomplishment will be better secured, by devolving the superintendence of it upon those who have official authority, and the access to official information, I tender to my right hon. friend, who has succeeded me in the Home Department, the offer of my cordial co-operation; an offer which I am ready to extend to any attempts to amend, gradually and deliberately, any other branch of our domestic jurisprudence which may stand in need of revision.—The right hon. gentleman concluded with moving, "That leave be given to bring in a Bill, for the more easy Recovery of Small Debts in the County Courts of England and Wales, and for extending the Jurisdiction thereof."

Mr. Secretary Bourne thought, that the thanks of the country were due to his right hon. friend, for the various bills he had introduced to amend the laws, and for none more than for that to which he had now called the attention of the House. He was happy to give his cordial support
to the proposition, and he did not give it the less willingly because the right hon. gentleman had engrafted his improvements on the ancient institutions of the country.

The Attorney-General was also disposed to give his full support to the proposition, and agreed, that it was the part of true wisdom rather to amend the deficiencies of the old institutions, than to attempt the introduction of new forms of law. He thought that the alteration of the law, with respect to the amount of the debt to be recovered, was such as the change of circumstances required; since 10l. now were nearly of the same real value as 40s. had been when the county courts were first instituted. With the proposition to abolish imprisonment of the person for these small debts, he also fully agreed. He thought it would be a public saving in every way; that it would be favourable to industry, and would prevent much of that misery to which an honest poor man was now subjected. He concurred, too, with the proposal to extend the creditor's remedy against the property of the debtor; but he thought that part of the proposition might be rendered more effective, if the court were invested with the power of inflicting compulsory labour on the debtor who should attempt to withdraw his property from the reach of his creditor.

Mr. Hobhouse trusted that the bill would be passed into a law during the present session. He thought that, with regard to the recovery of small debts, the laws at present existing were a great practical evil; and that the bill to limit Arrests on Mesne Process, which had recently been brought in by the Solicitor-general, and passed with so much haste, rendered the present measure more particularly necessary. The bill of the Solicitor-general went to deprive the creditor of a part of the remedy he had previously enjoyed; and that loss ought to be made up to him by the advantage of at once giving him a greater facility in recovering small debts. He was no advocate for continuing the practice of imprisoning debtors, a practice which should be happy to see abolished altogether; but his opinion was not that which was generally entertained; and he did, therefore, think, that when the legislature proposed to deprive the creditor of an important part of his remedy, they should afford him an equivalent for it. That equivalent was to be found in increasing the amount which the creditor might recover by process in the county courts.

Lord Althorp wished, as much as his hon. friend, that the bill might be passed this session, but he feared it would be impossible. They could never hope to pass the bill without the compensation clause; which could not be satisfactorily settled, in the short time that would elapse between the present period and the end of the session. He did not hesitate to avow, that the present bill was an improvement on that which he had himself introduced. He believed that, if once the machinery of the county courts could be properly put into action, one year of experience would enable them to suggest more improvements than they could hope to discover by the debates of many years.

Mr. Hume was happy to hear the Attorney-general make admissions which, on a former occasion, he had seemed to disavow. He alluded to that learned gentleman's sentiments upon the subject of imprisonment for debt. In listening with pleasure to the opinions which that learned gentleman had just expressed upon that subject, he could not but recollect how that learned gentleman had just expressed upon that subject, he could not but recollect how that learned gentleman had had the proposal the very same measure which the right hon. member had now introduced. When he had proposed it, the learned gentleman had treated it as wild and theoretical; but now it came from the right hon. gentleman, it was a proposition very fit to be considered. He saw, from this circumstance, that men and not measures were regarded by the learned gentleman; since to that which he had before treated very cavalierly, he was now ready to afford his approbation.

The Attorney-General said, that the bill introduced by the hon. member for Aberdeen, and the present, were far as the Poles asunder. If he approved of the bill now offered, it was not because it was brought forward by a different individual, but because the right hon. gentleman knew more of the laws of the country than the hon. gentleman. He must say, that the hon. gentleman knew little or nothing of the laws of England. He might be a good arithmetician; he might be able, as had been said by a predecessor of his, to calculate the compound interest of a guinea for a century, on his thumb nail; but he might nevertheless be neither a Solon nor a Lycurgus.
Leave was given to bring in the bill.

HOUSE OF COMMONS.

Thursday, June 21.

REAL PROPERTY IN INDIA.] Mr. Ferguson rose pursuant to notice, to call the attention of the House to a matter which he deemed of great importance as connected with the administration of the law in his majesty's courts in the East-Indies. His object was, to obtain a select committee, to whose consideration three points would be submitted. The first related to the law affecting landed property belonging to British subjects residing within the jurisdiction of those courts; he used the term "landed" in preference to "real" property, because it had been made a question, and it was one to which he meant to draw the attention of the House, whether a British subject could hold real property in India. For himself, he had no doubt upon the subject; for, to go no further back than the charter of the late king, granted to the supreme court of Bengal, it appeared that that charter gave power to the court to try all actions, real, personal, and mixed, against British subjects, and enabled the sheriff to seize and sell, for the satisfaction of the judgments of the court, the lands, houses, and effects, real and personal, of a defendant being a British subject. But doubts had certainly obtained on this subject, and the supreme court of Calcutta had been divided upon it, in a case which happened whilst he (Mr. Ferguson) practised at the bar; then one of the learned judges holding that such property was a chattel and not real estate in the hands of British subjects. The judgments of the court of Bengal had been, however, uniform in establishing the point, that such property was real estate, modified by the charter, which made it salable under writs of execution, and so far in the nature of a chattel; it had also been at all times held in the supreme court of Bengal, that lands and houses were assets in the hands of executors and administrators of British subjects deceased, for the payment of their debts generally. On this point no doubt had ever existed till lately, nor was there any difference of opinion upon it amongst those who considered property in lands and houses to be real estate, and those who deemed them to be a chattel interest only. In a late case, however, which came before the Supreme Court of Calcutta, the chief justice, of whose high character and talents he (Mr. Ferguson) wished to speak with every respect, had held (as reported) that lands and houses were not assets in the hands of executors and administrators—a doctrine which, if established, would shake the title to every house and foot of land, almost without exception, within Calcutta; for there was scarcely a single title which in one or more of its links, was not composed of a conveyance or conveyances from an executor or administrator. This opinion of the chief justice, although the majority of the court decided against it, had spread, as his (Mr. Ferguson's) letters expressed it, consternation throughout the presidency; and the rather, in that the chief justice had declared (as it was stated) from the bench, that he would not consider himself as bound by the precedent. The importance of this matter would appear, when it was considered that within the last twenty years, from the decaying state of the export trade of India, remittances could not be had but at the most ruinous rates, and that a large portion of the capital and wealth of British subjects and others, amounting to several millions sterling, had been invested in the purchase of lands and houses, or had been lent to persons speculating in such purchases, whereby there had been created, at a vast expense, one of the most magnificent cities in the world. But the interests of every landholder in Calcutta, and every creditor of a landholder, would be in jeopardy, should the doctrine of the chief justice (at variance with that of every other judge for more than fifty years, and with the invariable practice of the court and the profession during the same period,) be acted upon as law. The fear entertained on this subject might be considered to be the less groundless, as during a vacancy in the court, such as that which happened almost immediately after the judgment of the court in the case referred to, there being only two judges, the decision rested wholly with the chief justice. Mr. Ferguson said, he had expected to receive before this time a copy of the opinion given by the chief justice, and also petitions which were in preparation on this important subject, in which case it was his intention to have moved at once for leave to bring in a bill to declare the law in this matter.
had not yet received those documents, but be trusted, that the House would be of opinion that it was matter fit to be referred to a committee, who might report, upon the examination of witnesses, what the law and the usage were, and also take into consideration the law and the usage at the other presidencies in India, where no difference of opinion, he believed, had existed on these points, on which, however, it was obviously important to establish uniformity of decision. He would now proceed to the consideration of another point, not of less importance, as connected with the administration of the law in criminal cases in the king's court in India. Those courts were four in number; he meant the courts of Oyer and Terminer and gaol delivery, established at Calcutta, Madras, Bombay, and Prince of Wales's Island, having the same extensive jurisdiction in respect of crimes committed by British subjects, not merely within the local jurisdiction of those courts, but within a circle embracing almost one half of the habitable globe. Now as the charter of the different courts of Oyer and Terminer had been granted at different periods, and as these charters were brought with them the common law of England, and the statute law, as it stood at the respective periods of granting the charters, it followed, that the administration of the criminal law must be different in the different courts. With respect to the three supreme courts of India, established at Calcutta, Madras, and Bombay, it was now generally understood, that the English law was introduced into those settlements by the charter of George 1st granted in the year 1726, and that no statute, passed since that period, extended to the British settlements in India, unless named expressly in such statute, or by direct and necessary implication. The charter of George 1st created the mayors' courts for the determining of civil suits, and also constituted the governor and council of each settlement a court of Oyer and Terminer, but with much less extensive jurisdiction than the courts of that description now had. But the charter of George 1st had been surrendered in the reign of George 2nd, in the year 1753, and a new charter was granted; and in the year 1774 this latter charter, as to Bengal, was replaced by the charter granted to the present court, which was created a supreme court of judicature.

At the settlements of Madras and Bombay new charters were successively, and at different periods, granted first to the recorder's courts, and afterwards to the supreme courts of judicature, as in Bengal. In the year 1807, the recorder's court was established at Prince of Wales's Island, having the same extensive criminal jurisdiction as the other courts. It was clear that the statute law of England was introduced for the first time at Prince of Wales's Island by the charter last mentioned, and so it was declared, at the opening of the court, by the very learned judge, who afterwards presided at the court of Madras. A most important point arose in respect to the administration of criminal justice under these different charters, namely, whether, upon the surrender of the former charters of Calcutta, Madras, and Bombay, the law continued to stand as it did at the time of the first charter in 1726, or whether each renewal of charter introduced the enactments which had in the interval been made. The judges who tried Nundcomar must have been of the latter opinion, for Nundcomar was tried, convicted, and executed, for forgery, made capital by statute long subsequent to the granting of the first charter. That precedent had not, however, been followed; and as forgery of the same nature as that for which Nundcomar was tried had since been made, by statute 53 George 3rd, a transportable misdemeanour, this last enactment might be considered as a legislative exposition of the law in that particular matter. But he (Mr. Ferguson) had still heard doubts entertained by very learned persons as to the operation of the renewal of the different charters in the above respect; and, at all events, it was clear that a British subject, if tried at Prince of Wales's Island for the same offence committed within the same jurisdiction, would be tried by a different law from that by which a British subject would be tried at Calcutta, Madras, and Bombay. An offence under lord Ellenborough's act, for instance, was capital if tried at Prince of Wales's Island, but was a misdemeanour only if tried at Calcutta, Madras, and Bombay. The acts respecting the embezlements of clerks and servants were in force at the former place, and the offence was there a transportable felony; at the other settlements it was a mere breach of trust. The same
with respect to the statute of false pre-
tences, which had no operation at Cal-
cutta, Madras, or Bombay, but was a
transportable misdemeanour at Prince of
Wales's Island. Surely it was time to
put an end to this monstrous anomaly.
There was another point connected with
this subject also of great importance.
The general doctrine was, that even as
to such parts of the statute law of Eng-
lnd as extended to India, as far as
respected the time of their enactment,
the court must still determine as to their
applicability. The Black Act, for in-
stance, passed in the 9th of George 1st,
extended to India; but all its provisions
were as clearly not applicable to the state
and circumstances of that country. This
might give rise to a difference of con-
struction in the different courts, and the
judges ought, as far as practicable, to be
relieved from so painful a duty as that
which might be imposed upon them in
this respect. These points would be
well deserving of the best attention which
the committee could bestow upon them.
There was only one point more upon
which he would trouble the House. The
labours of the committee would necessarily
be imperfect, if they were not to remove
the uncertainty which appeared to exist as
to the persons who were subject to the ju-
sisdiction of the courts in question. In
the acts of parliament, the terms employ-
ed were sometimes "British subjects;"
at others, "subjects of his Majesty;" and
at others, "subjects of his Majesty of
Great Britain, or "his Majesty's Eu-
ropean British subjects." The clause in
the charter respecting juries, provided
that persons serving on juries shall be
subjects of his majesty of Great Britain;
but the term "subjects of his majesty,"
generally, is used to denote the persons
who are to be tried. He (Mr. Fergusson)
had known the case of an Armenian, born
in Calcutta, who, as a king's subject, was
held liable to the penalties of the law re-
specting usury; although beyond the
boundaries of Calcutta he would, proba-
bly, not have been treated or considered
as a British subject. What, then, were
all the inhabitants of Calcutta, born in
that settlement, and not Mahomedans or
Hindoos? Were they British subjects,
or not? or was there a distinction be-
tween those born in wedlock and those not
so born? Every inhabitant of Bombay was,
by the royal grant of Charles 2nd to the

East-India Company, declared to have all
the privileges and immunities of a natural
subject and free denizen, as if he had been
born in the kingdom of England. There
was a large and growing population in
India, consisting of persons of mixed
blood, who were Christians, and whose
state and condition could not but excite
great interest. These persons, although
Christians, were liable beyond the local
jurisdiction of the king's courts, to be tried
by the Mahomedan law, where the Mou-
lavee, or Mahomedan law officer, was to
expound the law, and to decide by his
futwa on the life or death of a Christian.
It was, happily, true, that capital pun-
ishment could not be inflicted, unless the
decision were confirmed by the highest
criminal court, the Nizamut Adawlut; but
the system itself was well worthy of con-
sideration, although he (Mr. Fergusson)
admitted that it was a question which ought
to be approached with great caution.
The Christians of mixed blood, many of
them persons of considerable property,
had no law but the Mahomedan law to
decide upon their civil rights, beyond the
local jurisdiction of the king's courts.
The succession to their estates was gov-
erned by the Mahomedan law. He saw
no reason why the illegitimate children of
such Christians might not succeed to their
estates equally with the legitimate, or
why such Christians might not indulge in
plurality of wives, if the Mahomedan law
was to be the rule by which their civil
rights were to be governed. If they were
not British subjects, the ecclesiastical
courts established in India had no power
or authority over them, for their jurisdic-
tion was expressly confined to British sub-
jects. The hon. member said, that he had
only further to observe, that he had no
wish that the committee which he was
about to propose should interfere in any
manner with the authority of the British
government in India, which he believed
and knew to be a wise and beneficent go-
vernment over the natives of India.—Mr.
Fergusson concluded by moving, "that a
select committee be appointed, to inquire
and report on the law respecting landed
property belonging to British subjects, in
the territories subject to the government
of the East-India Company, and whether
the same be liable, in the hands of their
executors and administrators, to the pay-
ment of their simple contract debts; and
also, what persons, as British subjects,
are amenable to the jurisdiction of his majesty’s courts in the East Indies, in respect of their persons and property, and what parts of the statute law of England extend, or ought to be extended, to the said territories, with a view to ensure uniformity of decision in the said courts.”

Mr. Wynn expressed himself hostile to a motion which embraced such an extent and variety of objects. It was introduced at the very close of the session, when it was obviously impossible, if the committee were appointed, that it would be enabled to report on any one of the subjects which were comprised in the motion. But if it had been brought forward at the commencement, instead of the close of the session, still he could not have agreed to it. Amongst other things, the committee was to declare its opinion “whether landed property belonging to British subjects in the territories subject to the East-India Company, was liable, in the hands of administrators or executors, for the payment of simple contract debts.” This was a question of law—a question for the decision of the law authorities. The learned gentleman himself had stated that a difference of opinion existed amongst the judges in India on that point. The chief justice, it appeared, was of one opinion, and the two puisne judges held the same opinion as the learned gentleman. But if the party against whom the decision was given felt himself aggrieved, an appeal to the privy council was still open to him. When a question of this kind was actually pending, was it regular to come before parliament, and to call for the judgment of a committee on the law? There were some points connected with the law which a committee might ascertain, and on which they might decide; but it was not their province to state what the law was. To declare what the law ought to be—to point out how it might be reformed—was a very different thing. With respect to the meaning of the law, as to its operation on landed property, that was a fit subject for the consideration of the courts. As to the criminal law, it was a question of great importance, and it was highly desirable that a greater degree of uniformity should be introduced into it; but he did not think it by any means desirable that a committee of the House of Commons should be called on to effect that object. He should like to see the law altered and simplified, but that, perhaps, would be better effected by individual exertion, than by the labours of a committee.

Naval Promotions.

Mr. Fergusson, in reply, said, that the case decided in Calcutta, which had been referred to, might never come under appeal, and if it did, it would not decide many other questions of great importance, and of some doubt, respecting the law of landed property in India; for instance, whether the widow was entitled to dower, and whether such dower was to have the preference or not over debts. Besides, this case, if decided upon appeal, would be a decision for the presidency of Bengal only, whereas, it was his (Mr. Fergusson’s) wish that the same law should be declared for all the territories subject to the different presidencies, and that a uniformity of decision should be ensured in all the courts, on this and on every other point connected with the administration of the law in India. He (Mr. Fergusson) was not satisfied that any great change in the system of administering the law could be best effected by the exertion of individuals; he thought it could be better done by a committee or commission, with power to examine witnesses, than by private and personal intercourse only, although the latter would no doubt also be very valuable. At the late period of the session, however, as little progress could be made if a committee were to be appointed, he would, for that reason, and for that only, abstain from pressing his motion, with a full determination, however, to bring the matter forward early in the next session, should it not be taken up by some person more competent to do it justice. As far as depended on him (Mr. Ferguson) he should not cease his endeavours for that end, until he saw the administration of justice in India made as perfect—he trusted it was as pure—as at home.

Naval Promotions.] Mr. Hume, in rising, pursuant to notice, to move an address to his majesty, on the subject of Naval Promotions, adverted to the great importance of the subject. He had, on two occasions, called the attention of the House to it; and he had proved by facts, that the government bestowed this patronage through motives of personal favour, or with reference to parliamentary influence. The service of the country did not warrant in any degree the extent of those promotions. Some ex-
Naval Promotions.

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cases had been made for them, but no-
thing that appeared to him to justify the
expense incurred. On the 9th of June,
1823, he had moved for the then last list
of promotions. Since that time, he was
bound to state, that a larger number of
old officers had been promoted, than had
been known for a considerable time. He
would not say that the alteration had
grown out of his motion; but he was
happy to say, that the evil which had pre-
viously existed was much mitigated since
that time. He never wished to lower the
 glory or strength of the navy, by with-
holding from it any necessary supplies;
but he was of opinion, that promotions
should only take place with reference to
the real wants of the navy, and the ability
of the country to bear the expense. In
1822, that House had addressed the
Throne, praying his majesty to direct his
ministers to approximate the expenditure
of the country as nearly as possible to the
expenditure of 1792; and to reduce, as
far as was practicable, the navy, army,
ordnance, and other establishments. His
majesty's answer was, that such directions
should be given. Now, considering the scale
of expense that was still kept up, he must
say, that that House had not done its
duty, in not insisting on much larger re-
trenchments. He should at present con-
fine himself to the navy. The hon.
gentleman then entered into a detail of the
increase of naval officers from 1792 to the
present time, which he censured as ex-
traordinary and uncalled-for. The half-pay
had increased in a proportionate degree.
In 1792, it amounted to 170,000l.; in
1816 it had reached nearly 800,000l., and
it still continued, with very little differ-
ence, at the same amount. Of five thousand
five hundred and fifty-eight naval officers,
only eight hundred and forty-two were
employed. Indeed, they had three or four
times the number of officers they could
employ, if all the ships in the British navy
were employed to-morrow. Besides all
this expense, there was a million and a
half dead-weight. When they viewed all
these burthens, and saw the revenue de-
creasing, ought not that House to call
loudly for retrenchment? He had before
stated, that many of these promotions
must have arisen from personal favour or
parliamentary influence, and the papers
on the table fully bore out the fact. He
there saw the names of individuals who
were raised, last year, to the rank of post
captains, some of whom were not born in
1802. They were put over the heads of
old and deserving officers, while the half-
pay of the latter added to the dead-weight.
The hon. member concluded with moving,
1. "That, according to returns made to
this House, it appears that on the 1st of
January, 1827, there were five thousand
five hundred and fifty-eight commissioned
officers in the royal navy, from the rank
of admiral to that of lieutenant inclusive,
of whom only eight hundred and forty-
two were employed afloat.
2. "That this House has voted in this
session the sum of 718,000l. for half-pay
flag-officers, captains, commanders, lieu-
tenants, chaplains, and pursers, of his
majesty's fleet, who may be unemployed
during the present year, which large amount
is exclusive of 579,359l. voted for half-pay,
superannuations, and allowances to officers
of the royal marines, to masters and other
naval and civil officers, widows and or-
phans; and exclusive of 250,000l. voted
for Greenwich hospital, making an aggreg-
et of 1,547,359l. for the ineffective por-
tion of the naval and marine departments
of the public service.
3. "That therefore an humble Address
be presented to his Majesty, to express
the earnest wish of this House, that he
will be graciously pleased to take into his
consideration the present great number of
Officers of the Royal Navy, and having
regard to the state of the Finances of the
Country, its diminished Revenue, and the
heavy load of Taxation on the People, that
he will be graciously pleased to direct
that no further promotions be made in the
navy, except on very extraordinary and
urgent occasions, where the particular
merit or great length of service of indi-
viduals authorize such promotion, as
essential to maintain the best interests and
high character of the Naval Service of the
Country."

Sir G. Cockburn said, that if the navy
was not occasionally supplied with young
officers, we should, in the event of a war,
be left with a complement of officers, who,
from age, would be unable to fight the
country's battles. There were two de-
scriptions of promotion: the one was the
rewarding existing officers for particular
services, and the other the bringing forward
of younger men. The objects of the latter
promotion were, in great part, the sons of
meritorious officers in the army and navy.
The desire to obtain promotion was the
incentive to gallantry and good conduct. Take away the chance of promotion, and much of the zeal which was at present displayed in the service would disappear with it. He considered the continuance of the system of promotion absolutely necessary: and on that ground he would move the previous question, on the two first branches of the hon. mover's proposition. As to the address, he would allow it to go to the vote.

Sir J. Yorke said, the question was one which bore materially upon the finances of the country, and he should consider that he was shrinking from the performance of his duty, if he did not state that it was necessary to exercise a considerable degree of caution with respect to promotions. Some check should be put to the immense patronage which was placed at the disposal of the different branches of the public service. If the chancellor of the Exchequer would endeavour to apply some check to that patronage, he would be the strongest minister that had ever conducted the affairs of the nation. If he did not adopt that line of conduct, he would soon sink to the level of the ministers who had preceded him. It might be the means of checking promotion in the navy to have them gazetted. He had proposed that course to the hon. Secretary to the Admiralty (Mr. Croker); but he had objected to it, in that mysterious manner which he sometimes adopted, without, however, giving any reasons for the objection.

After a short conversation, the motion was negatived.

WAREHOUSED CORN BILL.] The House having gone into a committee on this bill,

Sir E. Knatchbull said, he doubted very much whether the mere admission of the corn in bond, upon the terms proposed, would not so affect the market, as to prevent the home agriculturist from obtaining a remunerating price. The best point about the measure was, that it would answer as an experiment; and the result might guide the House in their view of what should be the permanent measure next year. He doubted whether the late measure could fairly be called lord Liverpool's. That noble lord might have been favourable to the principle of the bill, but he did not think that he had been the author of all its details.

Mr. Casement said, that his first speech to the House in bringing forward the late measure had been spoken from the memorandam of lord Liverpool himself, as from a brief. One new clause he certainly had introduced; namely, the clause which empowered his majesty to stop the importation from any particular country, with which the interests of England made it inconvenient that we should deal; but that clause had not been one of the parts objected to. For the question of price, the price of 60s. had not only been fixed by lord Liverpool, but that noble lord had told him in conversation, that he had met the hon. baronet, and that he had mentioned the subject of price to the hon. baronet, who had replied that he was satisfied with a price of 60s., rather upwards than downwards. With reference to the principle of the bill, he agreed that there was a difficulty to be met: the possibility of producing suffering to the agricultural classes was not to be overlooked, although he had to remove the actual and existing suffering of the manufacturing interests. This, however, would be agreed upon all hands—that the privations of the manufacturers had been borne with a patience that merited the highest encomium, and that could have but one effect—that of inducing an increased anxiety, on the part of the legislature, to adopt every measure calculated to give them relief. Important as the late bill must necessarily have appeared to them, it was remarkable how little the House had been importuned by them in its progress. He trusted, that the House would come to the discussion of the question next year with minds perfectly unbiassed, and that nothing would occur in the mean time to create, on either side, the slightest feeling of irritation.

Mr. Baskes said, that 60s. might have been tolerated as a medium price; but, under the provisions of the late bill, it would have been likely to become a maximum. He for himself rejoiced that that bill had been lost.

The bill then, went through the committee.

HOUSE OF LORDS.
Friday, June 22.

CORN AVERAGES BILL.] Their lordships went into a committee on this bill.

Lord Farnham said, he wished the averages of towns in Ireland and Scotland to be taken, and therefore intended to
move, in order that he might be enabled to introduce the names of those towns into the bill, that the words “England and Wales” be omitted, and “Great Britain and Ireland” inserted. This amendment was necessary to give the real price of corn as sold by the grower. It was a great object to bring the true price before the public. In Scotland, when the price of grain was 6s., persons complained that they could never get such in the market. He thought that this was a gross deception. He considered it was a most extraordinary measure, which placed in the king’s government the power of raising or depressing the averages. The present bill was, he believed, intended to be the basis of a permanent measure, and he should therefore move, that certain towns in Scotland and Ireland be inserted in the bill.

Lord Goderich did not see any conclusive objection to the principle of including Scotland and Ireland, but he thought there was a good objection to adopting the amendment in the present bill. This was intended as a permanent bill, but it was so intended in concurrence with another measure, which had not become law; and there would be a difficulty in introducing the amendment into the bill, except in concurrence with that other measure, as the law now stands. If Scotland and Ireland were introduced, it might have the effect of lowering the averages, and might materially affect the period at which, under the present law, the importation price would be reached. He thought it was unreasonable to introduce such a measure into this bill, seeing that the Corn-laws might be revised next session. It would have an effect on the present law not contemplated by those who framed it. He could not consent to introduce Scotland and Ireland into the present bill, and should oppose the amendment. It would be impossible to know what would be the effect of such an amendment.

The Earl of Malmesbury said, that unless the proposed extension took place, it would almost be better not to persevere in the bill.

Lord Goderich said, he had no objection to drop it.

Lord Ellenborough was not disposed to conclude that the admission of Ireland and Scotland would tend to raise the averages. On reference to the returns of corn sold in the inland towns, he found that the amount did not exceed one million nine hundred thousand quarters per annum, making the sales per week amount to about thirty-five thousand quarters. If, therefore, those towns were included where a small quantity of corn was sold at a high price, it would not raise the averages more than 2s. per quarter. He was disposed to hope that the noble viscount would allow the amendment to pass; because it was important for them this year to ascertain really what the averages were.

The Earl of Harrowby entered into a detail of the present mode of taking the averages, and urged the necessity of their lordships’ agreeing to the proposed alteration. It was impossible to take the averages to the extent proposed by the amendment, unless an account was taken of every bushel of corn that was sold.

The Duke of Wellington said, it was impossible that the averages, as proposed to be altered, could be made applicable to the bill now in progress elsewhere. The present Corn-law was that of 1822; the present averages were made applicable to that law, and the newly-proposed mode of taking the averages could not be made applicable to it. But, with a view to any entire permanent measure that might hereafter be introduced upon the subject of the Corn-laws, he thought it highly desirable that the fullest information should be furnished, as to the state of the averages throughout the country. There would be less chance of fraud, by having that extensive knowledge which it was the object of the amendment to arrive at.

Lord Goderich said, he did not, on principle, see any great objection to extending the present mode of taking the averages to the inland towns of England and Wales, and, perhaps, subsequently to Ireland and Scotland; but he did not see the necessity of the immediate extension of it, as proposed by the amendment. The Earl of Harrowby suggested, whether it would be worth while to set on foot so expensive a system for so short a period, merely for the sake of experiment. The salaries of inspectors amounted to 70l. or 80l. per annum each, and would entail a great expense without affording any corresponding benefit.

The Earl of Belmore thought that, if the measure was extended to Ireland, it would only embarrass the system. It would be
are amenable to the jurisdiction of his majesty's courts in the East Indies, in respect of their persons and property, and what parts of the statute law of England extend, or ought to be extended, to the said territories, with a view to ensure uniformity of decision in the said courts."

Mr. Wynn expressed himself hostile to a motion which embraced such an extent and variety of objects. It was introduced at the very close of the session, when it was obviously impossible, if the committee were appointed, that it would be enabled to report on any one of the subjects which were comprised in the motion. But if it had been brought forward at the commencement, instead of the close of the session, still he could not have agreed to it. Amongst other things, the committee was to declare its opinion "whether landed property belonging to British subjects in the territories subject to the East-India Company, was liable, in the hands of administrators or executors, for the payment of simple contract debts." This was a question of law—a question for the decision of the law authorities; and the learned gentleman himself had stated that a difference of opinion existed amongst the judges in India on that point. The chief justice, it appeared, was of one opinion, and the two puisne judges held the same opinion as the learned gentleman. But if the party against whom the decision was given felt himself aggrieved, an appeal to the privy council was still open to him. When a question of this kind was actually pending, was it regular to come before parliament, and to call for the judgment of a committee on the law? There were some points connected with the law which a committee might ascertain, and on which they might decide; but it was not their province to state what the law was. To declare what the law ought to be—to point out how it might be reformed—was a very different thing. With respect to the meaning of the law, as to its operation on landed property, that was a fit subject for the consideration of the courts. As to the criminal law, it was a question of great importance, and it was highly desirable that a greater degree of uniformity should be introduced into it; but he did not think it by any means desirable that a committee of the House of Commons should be called on to effect that object. He should like to see the law altered and simplified, but that, perhaps, would be better effected by individual exertion, than by the labours of a committee.

Mr. Fergusson, in reply, said, that the case decided in Calcutta, which had been referred to, might never come under appeal, and if it did, would not decide many other questions of great importance, and of some doubt, respecting the law of landed property in India; for instance, whether the widow was entitled to dower, and whether such dower was to have the preference or not over debts. Besides, this case, if decided upon appeal, would be a decision for the presidency of Bengal only, whereas, it was his (Mr. Fergusson's) wish that the same law should be declared for all the territories subject to the different presidencies, and that a uniformity of decision should be ensured in all the courts, on this and on every other point connected with the administration of the law in India. He (Mr. Fergusson) was not satisfied that any great change in the system of administering the law could be best effected by the exertion of individuals; he thought it could be better done by a committee or commission, with power to examine witnesses, than by private and personal intercourse only, although the latter would no doubt also be very valuable. At the late period of the session, however, as little progress could be made if a committee were to be appointed, he would, for that reason, and for that only, abstain from pressing his motion, with a full determination, however, to bring the matter forward early in the next session, should it not be taken up by some person more competent to do it justice. As far as depended on him (Mr. Fergusson) he should not cease his endeavours for that end, until he saw the administration of justice in India made as perfect—he trusted it was as pure—as at home.

Mr. Hume, in rising, pursuant to notice, to move an address to his majesty, on the subject of Naval Promotions, adverted to the great importance of the subject. He had, on two occasions, called the attention of the House to it; and he had proved by facts, that the government bestowed this patronage through motives of personal favour, or with reference to parliamentary influence. The service of the country did not warrant in any degree the extent of those promotions. Some ex-
cases had been made for them, but nothing that appeared to him to justify the expense incurred. On the 9th of June, 1823, he had moved for the then last list of promotions. Since that time, he was bound to state, that a larger number of old officers had been promoted, than had been known for a considerable time. He would not say that the alteration had grown out of his motion; but he was happy to say, that the evil which had previously existed was much mitigated since that time. He never wished to lower the glory or strength of the navy, by withholding from it any necessary supplies; but he was of opinion, that promotions should only take place with reference to the real wants of the navy, and the ability of the country to bear the expense. In 1822, that House had addressed the Throne, praying his majesty to direct his ministers to approximate the expenditure of the country as nearly as possible to the expenditure of 1792; and to reduce, as far as was practicable, the navy, army, ordnance, and other establishments. His majesty's answer was, that such directions should be given. Now, considering the scale of expense that was still kept up, he must say, that that House had not done its duty, in not insisting on much larger re- 

1. “That, according to returns made to this House, it appears that on the 1st of January, 1827, there were five thousand five hundred and fifty-eight commissioned officers in the royal navy, from the rank of admiral to that of lieutenant inclusive, of whom only eight hundred and forty-two were employed afloat.

2. “That this House has voted in this session the sum of 718,000l. for half-pay flag-officers, captains, commanders, lieutenants, chaplains, and purser's of his majesty's fleet, who may be unemployed during the present year, which large amount is exclusive of 579,359l. voted for half-pay, superannuations, and allowances to officers of the royal marines, to masters and other naval and civil officers, widows and orphan's; and exclusive of 250,000l. voted for Greenwich hospital, making an aggregate of 1,547,359l. for the ineffective portion of the naval and marine departments of the public service.

3. “That therefore an humble Address be presented to his Majesty, to express the earnest wish of this House, that he will be graciously pleased to take into his consideration the present great number of Officers of the Royal Navy, and having regard to the state of the Finances of the Country, its diminished Revenue, and the heavy load of Taxation on the People, that he will be graciously pleased to direct that no further promotions be made in the navy, except on very extraordinary and urgent occasions, where the particular merit or great length of service of individuals authorize such promotion, as essential to maintain the best interests and high character of the Naval Service of the Country.”

Sir G. Cockburn said, that if the navy was not occasionally supplied with young officers, we should, in the event of a war, be left with a complement of officers, who, from age, would be unable to fight the country's battles. There were two descriptions of promotion: the one was the rewarding existing officers for particular services, and the other the bringing forward of younger men. The objects of the latter promotion were, in great part, the sons of meritorious officers in the army and navy. The desire to obtain promotion was the
incentive to gallantry and good conduct. Take away the chance of promotion, and much of the zeal which was at present displayed in the service would disappear with it. He considered the continuance of the system of promotion absolutely necessary; and on that ground he would move the previous question on the two first branches of the hon. mover's proposition. As to the address, he would allow it to go to the vote.

Sir J. Yorks said, the question was one which bore materially upon the finances of the country, and he should consider that he was shrinking from the performance of his duty, if he did not state that it was necessary to exercise a considerable degree of caution with respect to promotions. Some check should be put to the immense patronage which was placed at the disposal of the different branches of the public service. If the chancellor of the Exchequer would endeavour to apply some check to that patronage, he would be the strongest minister that had ever conducted the affairs of the nation. If he did not adopt that line of conduct, he would soon sink to the level of the minister who had preceded him. It might be the means of checking promotion in the navy to have them gazetted. He had proposed that course to the hon. Secretary to the Admiralty (Mr. Croker); but he had objected to it, in that mysterious manner which he sometimes adopted, without, however, giving any reasons for the objection.

After a short conversation, the motion was negatived.

WAREHOUSED CORN BILL.] The House having gone into a committee on this bill,

Sir E. Knatchbull said, he doubted very much whether the mere admission of the corn in bond, upon the terms proposed, would not so affect the market, as to prevent the house agriculturist from obtaining a remunerating price. The best point about the measure was, that it would answer as an experiment; and the result might guide the House in their view of what should be the permanent measure next year. He doubted whether the late measure could fairly be called lord Liverpool's. That noble lord might have been favourable to the principle of the bill, but he did not think that he had been the author of all its details.

Mr. Connolly said, that his first speech to the House in bringing forward the late measure had been spoken from the memorandum of lord Liverpool himself, as from a brief. One new clause he certainly had introduced; namely, the clause which empowered his majesty to stop the importation from any particular country, with which the interests of England made it inconvenient that we should deal; but that clause had not been one of the parts objected to. For the question of price, the price of 60s. had not only been fixed by lord Liverpool, but that noble lord had told him in conversation, that he had met the hon. baronet, and that he had mentioned the subject of price to the hon. baronet, who had replied that he was satisfied with a price of 60s., rather upwards than downwards. With reference to the principle of the bill, he agreed that there was a difficulty to be met: the possibility of producing suffering to the agricultural classes was not to be overlooked, although he had to remove the actual and existing suffering of the manufacturing interests. This, however, would be agreed upon all hands—that the privations of the manufacturers had been borne with a patience that merited the highest encomium, and that could have but one effect—that of inducing an increased anxiety, on the part of the legislature, to adopt every measure calculated to give them relief. Important as the late bill must necessarily have appeared to them, it was remarkable how little the House had been importuned by them in its progress. He trusted, that the House would come to the discussion of the question next year with minds perfectly unbiased, and that nothing would occur in the mean time to create, on either side, the slightest feeling of irritation.

Mr. Banks said, that 60s. might have been tolerated as a medium price; but, under the provisions of the late bill, it would have been likely to become a maximum. He for himself rejoiced that that bill had been lost.

The bill then, went through the committee.

HOUSE OF LORDS.

Friday, June 22.

CORN AVERAGES BILL.] Their lordships went into a committee on this bill.

Lord Farnham said, he wished the averages of towns in Ireland and Scotland to be taken, and therefore intended to
Warehoused Corn Bill. Junc.25, 1826.

subject without legislation; and there were only two modes on which ministers could proceed. The first mode was to accede to a recommendation which came from a noble earl opposite (Malmsbury), and which was enforced by a noble baron on the same side. It was by that recommendation proposed to substitute an amendment of the existing law, retaining, however, the principle, and merely doing away the clause which prevented importation until the price rose to 60l. Now, as he never could sanction the principle of that law, it was quite impossible for him to acquiesce in any proposition that recognized it. He believed it to be a principle which, from its very nature and essence, was calculated to produce much mischief, and he could not help thinking that that was the opinion of the country at large. As then, he could not accede to the recommendation of the noble earl, no other course was open to him than to see whether it would not be possible and advisable to confine legislation to that particular portion of foreign corn now in this country, independent of any considerable influx at any future period. That alone was the subject of the present bill; and he was quite sure that even those noble lords who were opposed to any change in the Corn-laws would not consider it inconsistent with their views to sanction this measure. One of the great evils of the existing law was, its tendency to admit foreign corn at a time when, of all others, its admission might be most injurious to the landed interest. At present there was a prospect of as fine a harvest as ever was known; therefore, no scarcity could reasonably be apprehended; but, last year, the crop of barley failed, though the price never rose high enough to admit of a supply from abroad. The supply at home, however, was quite inadequate to the demand, as was every where evinced by the state of the markets, the price being 40l. or upwards. Now, if an alteration of the law of 1822 were substituted in the manner proposed, foreign barley would be admitted on the 15th of August, provided the average price for the six weeks preceding was 35l. But as the average price was now 40l., and as the ports might be opened at 35l., with the limitation stated, they might, if there was a good harvest, have, under these circumstances, to contend, not only with the hundred and eighty thousand quarters of foreign barley now warehoused here, but also with an influx from every part of the continent for the next three months. The effect of this bill would be, to provide a remedy for that evil, and thereby to regulate the market. He might say, that the view he now took of the subject was not altered by the law of 1825. The present measure was for a fixed period, and their lordships might, on a future occasion, legislate upon what might be a permanent system of Corn-laws. His majesty’s government collected the best information they could obtain on the subject, and framed such a plan as they thought would satisfy even the most timid and scrupulous agriculturist. That bill, however, had failed; and the present one was introduced as a temporary substitute. He had been rebuked, on a former occasion, for presuming to express his sincere and anxious hope, that no feeling of party found its way into the discussion. He sincerely assured their lordships that neither he nor his colleagues entertained any feeling of that sort. They manifested no ill humour whatever at the loss of the measure; and if all parties were to separate now with something like good humour, they would do that which would be creditable to themselves and advantageous to the country. He would now move, that the bill be read a second time.

The Earl of Malmsbury said, that his noble friend misunderstood his recommendation as to the bill of 1816. What he had proposed was, to withdraw the restrictive clause, so as to allow the bill of 1822 to come into operation; for it had never yet been in operation. He had recommended it, supposing it was the intention of government not to bring forward any other measure this year; and he supposed it would be better under the bill of 1822, without the clause, than as we were at present. What his noble friend said, as to barley being imported in August, might be correct; but why not bring in a bill to apply only to barley; and why bring in a bill which applied to wheat? His noble friend had good ground for his measure as to barley; but he had no ground whatever for his bill as it applied to wheat. It appeared, that there were upwards of six hundred thousand quarters of wheat in bond, and there was also a quantity of flour.

Viscount Goderich.—Seventy six thousand and hundred weight of flour.

The Earl of Malmsbury. That was 2 Y 2
manifestly unjust that the price in the Irish markets should regulate the amount of duties in this country.

The Marquis of Salisbury considered the important point in this question was, to adopt that mode which would give the averages most correctly. He supported the amendment, and said that this was the proper time to make the experiment.

The question was then put, "that the words England and Wales do stand part of the clause." Upon which the House divided:—Content 44; Not-content 44. The chairman (the earl of Shaftesbury) gave his casting vote against the question; which was therefore negatived. The amendment was then put, that the words, "Great Britain and Ireland be inserted," Upon which another division took place: Content 37; Not-content 43; Majority against the amendment 6.

The effect of these two divisions is, therefore, to exclude every part of the united kingdom from the clause.

HOUSE OF COMMONS.
Friday, June 22.

East Retford Disfranchisement Bill.] Mr. Tennyson, in moving the second reading of the bill, said, that he had postponed it to that late period to allow time for the burgesses of East Retford to petition to be heard by counsel; but no such petition had appeared. There was a petition from the aldermen, containing a sort of protest, but not denying their participation in the corruption, or praying to be heard. He did not propose to proceed further then, but wished for the second reading, as an assurance that the House would support him in the next session, and would not, in the mean time issue the writ to Retford. He should think it his duty to prepare himself with the local details connected with Birmingham, that would enable him to submit to the House, when parliament re-assembled, a bill with such provisions as would secure to that town the benefits of representation without the evils too frequently attendant upon it. He should provide for a summary mode of taking the poll; for a registration of votes to prevent disputes, and other matters, so as to preclude, if possible, the tumult, demoralization, delay, and expense which might otherwise convert what he intended for a highly beneficial privilege, into an infliction and a curse. All he now asked was, the second reading of the bill with the view he had stated; and if, when the subject was resumed, the burgesses of Retford wished to be heard, there would be ample time afforded.

Mr. G. Bankes opposed the further progress of the measure, on the ground—that the case of corruption and bribery had not been sufficiently established. He objected, also, to the further suspension of the writ until the next session.

Mr. C. Dundas adverted to a petition from the electors, in which they prayed to be heard by counsel, and asserted their innocence.

Lord Ebrington said, that no reasonable doubt could be entertained of the corruption of the borough, and that a sufficient case had been made out for its disfranchisement.

Lord Lowther recommended, that the whole subject should be deferred until next session.

Mr. Wyun was of opinion, that a prima facie uncontradicted case had been made out for reading the bill a second time. It had been brought in by order of the committee; and all that was intended this session was to fill up the blanks. It was highly proper that the question regarding the issue of the writ should also be postponed. If the writ were issued, it would, in fact, be deciding the question. Whether it should be given to Birmingham or thrown into the hundred, in case of the disfranchisement of East Retford, was another point.

Sir C. Wetherell complained that the bill had been printed with the town of Birmingham substituted for East Retford. It might hence be concluded out of doors, that the House had decided that point before it had even determined to disfranchise East Retford.

Mr. Ferguson agreed with the general object of the bill, but contended that the evidence already adduced was not sufficient. If the case opened were established, it was more gross than that of Penryn.

Mr. N. Calvert thought the case of general corruption quite sufficient, and that it was the duty of the House to consider the elective franchise on some place, where it would be exercised with more fidelity.

Sir C. Forbes saw no reason why the bill should be read even a second time, if it was intended afterwards to postpone it until next session. If they wanted to put
Mr. Wynn, in reply, observed, that he had introduced the bill transferring the franchise to Birmingham with the deliberate sanction of the House. Manchester and Birmingham offered themselves as the most desirable cases for representation; and Manchester having been appropriated by a noble lord (J. Russell), he had adopted Birmingham; and having done so he could not and would not abandon it. The intelligence had been received at Birmingham with gratitude and satisfaction, and had created a great sensation there [hear, hear, from Sir G. Wetherell]. His learned friend cheered, but he begged to inform him, that the satisfaction and excitement he alluded to was amongst all the leading inhabitants of the place, as would appear from the copy of a requisition in his hand, signed by almost all the intelligent and wealthy merchants and manufacturers, by five bankers, and generally by gentlemen of importance at Birmingham. The requisition was for a public meeting, from which, no doubt, a petition would emanate, and be presented to the House before the prorogation. After this he should think he acted most unfairly if he consented to the substitution of any other place [hear, hear]; and if the transfer were to be made to a town, he saw no ground for change, for no place required distinct representation more than Birmingham. He wished for the second reading chiefly as a pledge from the House, that it would proceed with regard to East Retford in the next session; when he should move to re-introduce the bill. For the present session it would necessarily drop. As to the nature of the franchise to be established at Birmingham, it undoubtedly required great deliberation. He had applied himself diligently to the subject, but it was one for future consideration. His object was, to establish a franchise which would furnish a constituent body limited in point of numbers within convenient bounds; but one also which, comprising a portion from all classes, would bestow upon the mass of the inhabitants the satisfaction of feeling that they were represented, while at the same time due weight would be given to the commercial interests and property of the town. In the bill he had endeavoured to indicate a franchise with these qualities; and if it had been committed pro forma, he should, by filling up the blanks, have proposed a right to the inhabitant houses-

VOL. XVII.
Abuse of Corporate Funds to Election Purposes.] Mr. Maherly rose, to withdraw the notice of his intention to move a Resolution concerning the application of Corporate Funds to Election Purposes. His attention, he said, had been drawn to this subject, in consequence of the dictum which, he had been informed, had been pronounced, in another place, by a very learned personage; who had broadly declared, that corporate funds, in every respect, private property, and might be legally used by the corporation for all purposes to which individuals might apply their property. It was evident if this dictum were correct, that the members of any corporation might meet and divide the corporate funds among themselves for their own private benefit. He had always understood that corporate funds were held in trust for corporate purposes, and could not legally be applied to any other object. The corporation acted as a trustee; and in that capacity alone. Would that House suffer corporations to apply their funds to election purposes, and in so doing overturn all their rights and privileges? He had intended to move a resolution to prevent this abuse; but considering the state of the House, he should waive his intention. He trusted that this notice would have the effect of guarding against these malversations. He could assure any corporation, that if they interfered with any election by misapplying the funds they held for corporate purposes, they might be called to the bar of the House, and visited with the just measure of its indignation. His observations were not directed to any corporation in particular; but he felt called upon to notice a hand-bill which had been circulated by the corporation of Northampton, in which some grave misrepresentations appeared respecting the proceedings in regard to a bill which had passed this House, and had been rejected by the other House, on this subject. Some unjust and groundless remarks had been made upon the conduct of
Warehoused Corn Bill.

June 26, 1827.

...subject without legislation; and there were only two modes on which ministers could proceed. The first mode was to accede to a recommendation which came from a noble earl opposite (Malmesbury), and which was enforced by a noble baron on the same side. It was by that recommendation proposed to substitute an amendment of the existing law, retaining, however, the principle, and merely doing away the clause which prevented importation until the price rose to 80s. Now, as he never could sanction the principle of that law, it was quite impossible for him to accede in any proposition that recognized it. He believed it to be a principle which, from its very nature and essence, was calculated to produce much mischief, and he could not help thinking that that was the opinion of the country at large. As, then, he could not accede to the recommendation of the noble earl, no other course was open to him than to see whether it would not be possible and advisable to confine legislation to that particular portion of foreign corn now in this country, independent of any considerable influx at any future period. That alone was the subject of the present bill; and he was quite sure that even those noble lords who were opposed to any change in the Corn-laws would not consider it inconsistent with their views to sanction this measure.

One of the great evils of the existing law was, its tendency to admit foreign corn at a time when, of all others, its admission might be most injurious to the landed interest. At present there was a prospect of as fine a harvest as ever was known; therefore, no scarcity could reasonably be apprehended; but, last year, the crop of barley failed, though the price never rose high enough to admit of a supply from abroad. The supply at home, however, was quite inadequate to the demand, as was every where evinced by the state of the markets, the price being 40s. or upwards. Now, if an alteration of the law of 1822 were substituted in the manner proposed, foreign barley would be admitted on the 15th of August, provided the average price for the six weeks preceding was 36s. But as the average price was now 40s., and as the ports might be opened at 35s., with the limitation stated, they might, if there was a good harvest, have, under these circumstances, to contend, not only with the hundred and eighty thousand quarters of foreign barley now warehoused here, but also with an influx from every part of the continent for the next three months. The effect of this bill would be, to provide a remedy for that evil, and thereby to regulate the market. He might say, that the view he now took of the subject was not altered by the law of 1825. The present measure was for a fixed period, and their lordships might, on a future occasion, legislate upon what might be a permanent system of Corn-laws. His majesty's government collected the best information they could obtain on the subject, and framed such a plan as they thought would satisfy even the most timid and scrupulous agriculturist. That bill, however, had failed; and the present one was introduced as a temporary substitute. He had been rebuked, on a former occasion, for presuming to express his sincere and anxious hope, that no feeling of party found its way into the discussion. He sincerely assured their lordships that neither he nor his colleagues entertained any feeling of that sort. They manifested no ill humour whatever at the loss of the measure; and if all parties were to separate now with something like good humour, they would do that which would be creditable to themselves and advantageous to the country. He would now move, that the bill be read a second time.

The Earl of Malmesbury said, that his noble friend misunderstood his recommendation as to the bill of 1815. What he had proposed was, to withdraw the restrictive clause, so as to allow the bill of 1822 to come into operation; for it had never yet been in operation. He had recommended it, supposing it was the intention of government not to bring forward any other measure this year; and he supposed it would be better under the bill of 1822, without the clause, than as we were at present. What his noble friend said, as to barley being imported in August, might be correct; but why not bring in a bill to apply only to barley; and why bring in a bill which applied to wheat? His noble friend had good ground for his measure as to barley; but he had no ground whatever for his bill as it applied to wheat. It appeared, that there were upwards of six hundred thousand quarters of wheat in bond, and there was also a quantity of flour.

Viscount Goderich.—Seventy six thousand hundred weight of flour.

The Earl of Malmesbury. That was 2 Y 2.
equal to 20,000 quarters of wheat in addition; and there was, besides, all the Canadian corn. If his noble friend's observations were correct, he might be justified in letting in barley, but not in letting in wheat. If wheat had lately been, on an average, 5s. 4d. per quarter, there was no probability of the averages rising by the 15th of August, or the 15th of November up to 80s. His noble friend had stated one reason which made it imperative on him to object to the proposed measure. He had stated, that he could not accede to the late amendment, because it was opposed to the principle of that bill, and he offered this bill to their lordships as carrying that bill into effect. On this ground he could not accede to the measure. If he acceded to it, he should compromise his opinions. He considered this bill as the connecting link between the lost measure of his noble friend and the measure that would be brought forward next year. On this ground, he would reject the bill. He would argue the question another way; and say, that no ground had been laid for this temporary measure. His noble friend, in introducing it, had not said one word in explanation of the necessity for the measure. For the last two years they had passed bills to let in the foreign corn that was in bond; and their lordships would recollect what quantities had been thus introduced. Their lordships would also remember, that when the earl of Liverpool brought forward his measures for letting out the bonded corn, he began by taking out five hundred thousand quarters. He at first proposed a duty of 12s. the quarter; and then he had admitted it on such a duty as the government had thought fit to affix. He should deviate from the course which he had hitherto followed, on the subject, if he were to agree to the measure under consideration. Were their lordships aware of the quantity of foreign bonded corn which had been let out at former periods, and the inferiority of that quantity to the quantity, the entrance of which into the country the present bill would sanction? Were they also aware of the difference in the average price of wheat at former periods and at the present? In 1826, the average price of wheat was 69s.; now the average price was 58s. The quantity of foreign corn which had been let out in 1825 was four hundred and thirty thousand quarters. The quantity let out last year was two hundred and ninety thousand quarters. It would be utterly impossible to say what might be the effect of letting out so large a quantity as seven hundred thousand quarters; which would be one hundred thousand quarters more than had ever before been admitted. With respect to the letting in of Canadian corn, it had been said, that under the circumstances of the case, it would be very hard on our North American colonies if they were not allowed to send their corn to this country under the terms now proposed. It must be notorious, however, that the act which was passed on the subject two years ago, would expire in the present session; and therefore he could not see any hardship in the case; as the admission would be a matter of courtesy, and not of right. A similar argument was applicable to the owners of the bonded corn. It was said, that many of them had rested their capitals on the faith of the bill which had been introduced by government, but which had failed. He should certainly be sorry if they suffered loss; but that was no argument for the measure; because they ought to know the constitution of this country better, than not to be aware that government could not do anything upon the subject without the consent of the legislature; and therefore, they ought not to have run any risk. In his opinion, instead of any bill of this nature, it would have been infinitely better if government had taken upon themselves to issue whatever order in council respecting corn the circumstances of the case might seem to require. It could not be supposed that they would think such a course objectionable; because it was the course which they had taken nine months ago, and afterwards received indemnity for the proceeding. Certainly he was not one of those who would deny them indemnity for a similar act, if they could make out as good a case with respect to wheat this year, as they had made out with respect to oats last.

The Duke of Wellington said, he could not agree with his noble friend that it would be right to throw upon the government the responsibility of admitting foreign corn for consumption. On the contrary, he fully agreed with ministers, that it was expedient that some measure of the kind now proposed should be agreed to after the disappointment which had been experienced relative to the other meas-
measure which had not been carried. He was therefore disposed to give the present bill his support; more particularly as he considered it to be the same in principle with that measure, with the additional advantage of ascertaining, by experiment, what would have been the effect of that measure if carried; at the same time that it was limited as to quantity, so as to prevent any injurious effect. Under all the circumstances, therefore, he thought the present measure advisable, and strongly recommended it to the House. At the same time he could not help expressing his regret that it was not accompanied by the other measure, which had been before their lordships. Upon that subject he would say, that he never considered that what he did in any way militated against the principle of that bill, and would contend, that that principle might be carried into effect, even if the system of warehousing were not touched at all. His majesty’s government, however, thought that a system of prohibition was inconsistent with that principle; although he begged the House to consider what was the difference, or whether the effect of a duty was not similar to what they contended against. If that were so, then, in fact, prohibition had existed during the whole period, up to which corn was allowed for consumption. It had existed in 1773, and from 1791 to 1815, when what was done, was by the imposition of a duty; and the same might be again done in such a manner as to afford satisfaction to the country. Under these circumstances, then, he should consider the noble lords themselves responsible for the loss of the bill; which it had been said was lost by his amendment. He had been accused not only of proposing a measure, which was inconsistent with the principle of the bill, but of doing so from private and party motives. But he must say, that if ever there was a man who had proposed a measure individually, and without any knowledge whether he would be supported in it or not, he was the person. He would repeat, that he proposed that measure to the House, not only believing that it would have the support, but that it actually was the suggestion of one of the ministers of the Crown. He did not mean to say that he did not labour, in that instance, under a mistake; but if he did, he could assure their lordships that he was so mistaken with a great many others, who had both before and since the amendment, read over the letters of the President of the Board of Trade, and who still attached to them the same meaning which he did when he proposed the amendment. He should observe, too, that if that measure were inconsistent with the principle of the bill, it was not more so than others which had been admitted into it. He thought it right also to say, that during the discussion upon the subject, he had endeavoured to impress upon the government the necessity of taking it out of his hands, and of carrying it themselves. That he had done not only by the correspondence, part of which he had before read to their lordships, but by other communications, not only with the President of the Board of Trade, but with his noble friend the Secretary of State then present.—His grace then read the following letters:—

"London, June 4, 1827.

"My dear Huskisson:—As you say that I misunderstood the meaning of your letter of the 24th, I must have done so. But I certainly never entertained a suspicion that I had misunderstood you; and even now, after referring to my letter of the 24th to you, and examining your letter to me, I cannot but think that I should have sought out for a difficulty, if I had affixed to your letter the meaning which you state that you intended to convey.

"I stated to you an evil, permanent in its nature, resulting from the operation of the warehouse system on that of the proposed Corn-law; and I proposed a permanent remedy. In answer, you stated very good reasons against what I had proposed, and you tell me, that, 'had my proposal been, that no corn bonded, after the passing of the present bill should be allowed to enter for home consumption till the average price had reached 66s., and that thenceforward all corn so bonded, or thereafter imported, should come under the regulations of the bill, individually you would not object to such a proviso;' and you add, 'It (this proviso) would insure, that no quantity beyond that now in bond should be thrown upon the market, unless, in spite of that quantity, the price reached a level which might be fairly taken as an indication of our being in want of a further supply from abroad.'

"It thus appears, then, that having stated to you a permanent evil, the existence of which is not denied, I was to con-
manifestly unjust that the price in the Irish markets should regulate the amount of duties in this country.

The Marquis of Salisbury considered the important point in this question, was, to adopt that mode which would give the averages most correctly. He supported the amendment, and said that this was the proper time to make the experiment.

The question was then put, "that the words England and Wales do stand part of the clause." Upon which the House divided:—Content 44; Not-content 44. The chairman (the Earl of Shaftesbury) gave his casting vote against the question; which was therefore negatived. The amendment was then put, that the words, "Great Britain and Ireland be inserted." Upon which another division took place: Content 37; Not-content 43; Majority against the amendment 6.

The effect of these two divisions is, therefore, to exclude every part of the united kingdom from the clause.

HOUSE OF COMMONS. Friday, June 22.

East Retford Disfranchisement Bill.] Mr. Tennyson, in moving the second reading of the bill, said, that he had postponed it to that late period to allow time for the burgesses of East Retford to petition to be heard by counsel; but no such petition had appeared. There was a petition from the aldermen, containing a sort of protest, but not denying their participation in the corruption, or praying to be heard. He did not propose to proceed further then, but wished for the second reading, as an assurance that the House would support him in the next session, and would not, in the mean time issue the writ to Retford. He should think it his duty to prepare himself with the local details connected with Birmingham, that would enable him to submit to the House, when parliament re-assembled, a bill with such provisions as would secure to that town the benefits of representation without the evils too frequently attendant upon it. He should provide for a summary mode of taking the poll; for a registration of votes to prevent disputes, and other matters, so as to preclude, if possible, the tumult, demoralization, delay, and expense which might otherwise convert what he intended for a highly beneficial privilege, into an infliction and a curse. All he now asked was, the second reading of the bill with the view he had stated; and if, when the subject was resumed, the burgesses of Retford wished to be heard, there would be ample time afforded.

Mr. G. Bancroft opposed the further progress of the measure, on the ground that the case of corruption and bribery had not been sufficiently established. He objected, also, to the further suspension of the writ until the next session.

Mr. C. Dundas adverted to a petition from the electors, in which they prayed to be heard by counsel, and asserted their innocence.

Lord Ebrington said, that no reasonable doubt could be entertained of the corruption of the borough, and that a sufficient case had been made out for its disfranchisement.

Lord Lovel recommended, that 'the whole subject should be deferred until next session.'

Mr. Wynn was of opinion, that a *praesum facie* uncontradicted case had been made out for reading the bill a second time. It had been brought in by order of the committee; and all that was intended this session was to fill up the blanks. It was highly proper that the question regarding the issue of the writ should also be postponed. If the writ were issued, it would, in fact, be deciding the question. Whether it should be given to Birmingham or thrown into the hundred, in case of the disfranchisement of East Retford, was another point.

Sir C. Wetherell complained that the bill had been printed with the town of Birmingham substituted for East Retford. It might hence be concluded out of doors, that the House had decided that point before it had even determined to disfranchise East Retford.

Mr. Ferguson agreed with the general object of the bill, but contended that the evidence already adduced was not sufficient. If the case opened were established, it was more gross than that of Pearyn.

Mr. N. COTES thought the case of general corruption quite sufficient, and that it was the duty of the House to confer the elective franchise on some place, where it would be exercised with more fidelity.

Sir C. Forbes saw no reason why the bill should be read even a second time, if it was intended afterwards to postpone it until next session. If they wanted to put
we end to corruption, they ought to put the axe to the root of the tree, and begin with the corruptors. They should begin with reform among themselves. They ought, when they came to the hustings, and to the table of that House, to take an oath against bribery and corruption; and then they would see what sort of a House they would have. He had ever set his face against cant, hypocrisy, and humbug, and he would still continue to do so. He further objected to transferring the franchise to Birmingham, as manufacturing towns were the very hot-beds of corruption.

Mr. J. Stuart said, that if the bill were read a second time, it would appear as if the House had pledged itself to transfer the franchise to Birmingham. Now, he was not prepared to say, even if East Retford were to be disfranchised, that the franchise should be transferred to Birmingham. He might think that it would be better to transfer it to one of the unrepresented Scotch counties, where there was neither bribery nor corruption. He would therefore move as an amendment, "That the bill be read a second time this day three months."

Mr. Ross supported the second reading, since all the proper amendments might be made in the committee.

Mr. Wynn would consent to the second reading, only in order to see what the proposition of the hon. mover was. But he wished to guard himself against giving any opinion as to the place to which the franchise should be transferred.

Mr. Ferguson was desirous to guard himself against giving any opinion now as to what might be his ultimate conclusion, either as to the propriety of the disfranchisement of the borough, or the place to which the franchise should be transferred.

Mr. Banks saw no use in allowing this bill to be read a second time just now, when it was well known that it could not stir another stage this session.

Sir C. Wetherell concurred in that opinion. In such cases as the present, the bill ought to be read only a first time. If he was improper to raise expectations in the inhabitants of Birmingham, which might be ultimately disappointed, there had been no discussion as yet, as to the place to which the franchise should be transferred, and he therefore did not think it proper that the bill should be read a second time with Birmingham inserted in it.
hobies who had been resident for three years, rated for that period, and who had paid their rates.

The House divided: For the second reading of the bill 36; Against it 17; Majority 18. The bill was then ordered to be committed on that day fortnight, with the object of postponing the subject till the next session.

Abuse of Corporate Funds to Election Purposes.] Mr. Maberly rose, to withdraw the notice of his intention to move a Resolution concerning the application of Corporate Funds to Election Purposes. His attention, he said, had been drawn to this subject, in consequence of the dictum which, he had been informed, had been pronounced, in another place, by a very learned personage; who had broadly declared, that corporate funds were, in every respect, private property, and might be legally used by the corporation for all purposes to which individuals might apply their property. It was evident if this dictum were correct, that the members of any corporation might meet and divide the corporate funds among themselves for their own private benefit. He had always understood that corporate funds were held in trust for corporate purposes; and could not legally be applied to any other object. The corporation acted as a trustee; and in that capacity alone. Would that House suffer corporations to apply their funds to election purposes, and in so doing overturn all their rights and privileges? He had intended to move a resolution to prevent this abuse; but considering the state of the House, he should waive his intention. He trusted that this notice would have the effect of guarding against these malversations. He could assure any corporation, that if they interfered with any election by misapplying the funds they held for corporate purposes, they might be called to the bar of the House, and visited with the just measure of its indignation. His observations were not directed to any corporation in particular; but he felt called upon to notice a handbill which had been circulated by the corporation of Northampton, in which some grave misrepresentations appeared respecting the proceedings in regard to a bill which had passed this House, and had been rejected by the other House, on this subject. Some unjust and groundless remarks had been made upon the conduct of his hon. relative (col. Maberly) in this hand-bill; and he appealed to the members of the committee, whether they were not directly opposite to the truth. He recommended that corporation to mind what they were about, for he had understand that their charter was not quite secure, and that it would be necessary to come to Parliament for its confirmation. The funds were restricted by the terms of their charter to objects of "common utility," and he could not see how that phrase could justify their application to the returning of members to Parliament. He should not press the resolution, but he hoped some steps would hereafter be taken to meet the evil.

HOUSE OF LORDS.
Monday, June 25.

Warehoused Corn Bill.] Lord Goderich, in rising to move the second reading of this bill, said it was not necessary for him to trouble their lordships at any length, by going into observations on the general subject of the Corn-laws; a subject so often discussed, and upon which the views of their lordships were so well known. He wished, however, to offer a few remarks explanatory of the ground on which his majesty's ministers had proceeded: first, as to the bill which had not been read a third time; and, secondly, as to this measure, which had recently come up from the other House. With respect to the former bill, if he considered that the alteration which their lordships had made in it was of small importance—if he considered it an alteration with regard to which any reasonable doubt could be entertained of its affecting the whole measure, he should have been most unwilling to abstain from letting it pass into a law; but, having stated what appeared to him to be convincing grounds against the propriety of adopting the clause introduced by his noble friend, he did not feel it possible for him to vote upon the other House to say whether or not they would acquiesce in it; and he conceived that the course he had taken was the least likely to produce any inconvenient or unpleasant collision. On the fullest reflection, he felt persuaded that he had not taken any other course than that which was most consistent with his own duty, and most conducive to the public benefit. In the mean time, he also felt that it was impossible to leave the
of this House to extend due and fair protection; for, beyond this, God forbid that any interest should either expect or obtain any protection whatever! I maintain, that it is due to that interest that this country should render itself as independent as possible of foreign supplies in corn; and that to all interests of the community, and to none more than the commercial and manufacturing, is it essential that as much of the land of this country as is capable of it, should be brought into cultivation. These principles I maintain, regardless that for maintaining them it may be unjustly imputed to me, that I uphold the interests of the rich to the sacrifice of those of the poor. The most eager advocate of liberal principles cannot shake the soundness of those principles, which were so admirably enforced in a letter, the writer of which, I trust, still maintains them. "If the wise and just man of this present age effect the throwing open our ports to a free trade in corn, the consequence will be that of throwing a great part of our land out of cultivation, and risking all the inconvenience of sudden changes and convulsions in our relation with foreign countries: though, for a time, we may have cheap corn, yet, upon the long run, the price of this first necessary of life will increase, and the profit, as well as the power, of supplying us as they please, will be in the hands of foreigners." The maintenance of such sentiments is not at variance with popular rights, but essential for public prosperity. Popular rights I have ever upheld, whenever and by whomsoever they were assailed. I have made some sacrifices for them. I am ready to make more. At the same time, when I have met wild and extravagant claims and doctrines under the name of popular rights, I have not finched from the obloquy to which an opposition to them may have exposed me. To that obloquy I am as ready again to expose myself, as I am to endeavour to retrieve the constitution from those invasions which I have considered as most dangerous to popular security. But at the same time that we should be anxious to uphold the dignity of the Crown, and to protect the just rights of the people, we should remember that we, as well as they, have rights and privileges given to us, not so much for our benefit as for others; that we are an intermediate body, forming a link of connexion between both, and standing as a barrier to resist the encroachments of one upon the rights of the other. These respective rights, in their legitimate exercise, I am anxious that all should enjoy. Animated by these motives, and acting upon these principles, I hope we shall all come to the dispassionate consideration of this important question in the ensuing session, and trust that it may be settled on a basis, which shall give general and permanent satisfaction.

Lord Goderich wished to be allowed to make one observation with respect to an expression which fell from the noble earl. The noble lord, in alluding to the tone in which the motion had been brought before the House, said that it conveyed some thing of an apology. He must take leave to tell their lordships and the noble earl, that he made no apology. He made no apology, because he did not think there had been any offence. If, however, their lordships should ever find him deviating from that course of duty and respect, which he was equally bound as a peer and as a member of his majesty's government to observe towards their lordships, then they would be entitled to call upon him for an apology, and then it would be his duty to make that apology. In this case, he repeated, he made no apology; because, whether the measure which he proposed might prove right or turn out to be wrong, it was his duty to bring it before their lordships; and he claimed the privilege of maintaining his opinions and his measures with the same earnestness as the noble earl or any other member of their lordships' House.

Earl Grey said, he did not intend to offend the noble viscount by the use of the word apology. Perhaps he ought rather to have said the noble viscount made an apologetic explanation; for such it might be called. He repeated; however, that he did not mean to use the expression in any way which the noble viscount might deem offensive; and although he was not a person in the habit of retracting what he had once uttered on such occasions, yet he would say, that if any expression which fell from him had offended the noble viscount, he was sorry he had used it.

Lord Goderich.—I have not a word more to say.

The bill was read a second time.—Lord Goderich then moved the order of the day for the third reading of the Corn Averages bill. The noble viscount introduced a clause, giving his majesty, by an order in
equal to 20,000 quarters of wheat in addition; and there was, besides, all the Canadian corn. If his noble friend's observations were correct, he might be justified in letting in barley, but not in letting in wheat." If wheat had lately been, on an average, 58s. 4d. per quarter, there was no probability of the averages rising by the 15th of August, or the 15th of November up to 80s. His noble friend had stated one reason which made it imperative on him to object to the proposed measure. He had stated, that he could not accede to the late amendment, because it was opposed to the principle of that bill, and he offered this bill to their lordships as carrying that bill into effect. On this ground he could not accede to the measure. If he acceded to it, he should compromise his opinions. He considered this bill as the connecting link between the lost measure of his noble friend and the measure that would be brought forward next year. On this ground, he would reject the bill. He would argue the question another way; and say, that no ground had been laid for this temporary measure. His noble friend, in introducing it, had not said one word in explanation of the necessity for the measure. For the last two years they had passed bills to let in the foreign corn that was in bond; and their lordships would recollect what quantities had been thus introduced. Their lordships would also remember, that when the earl of Liverpool brought forward his measures for letting out the bonded corn, he began by taking out five hundred thousand quarters. He at first proposed a duty of 12s. the quarter; and then he had admitted it on such a duty as the government had thought fit to affix. He should deviate from the course which he had hitherto followed on the subject, if he were to agree to the measure under consideration. Were their lordships aware of the quantity of foreign bonded corn which had been let out at former periods, and the inferiority of that quantity to the quantity, the entrance of which into the country the present bill would sanction? Were they also aware of the difference in the average price of wheat at former periods and at the present? In 1825, the average price of wheat was 69s.; now the average price was 58s. The quantity of foreign corn which had been let out in 1825 was four hundred and thirty thousand quarters. The quantity let out last year was two hundred and ninety thousand quarters. It would be utterly impossible to say what might be the effect of letting out so large a quantity as seven hundred thousand quarters; which would be one hundred thousand quarters more than had ever before been admitted.

With respect to the letting in of Canadian corn, it had been said, that under the circumstances of the case, it would be very hard on our North American colonies if they were not allowed to send their corn to this country under the terms now proposed. It must be notorious, however, that the act which was passed on the subject two years ago, would expire in the present session; and therefore he could not see any hardship in the case; as the admission would be a matter of courtesy, and not of right. A similar argument was applicable to the owners of the bonded corn. It was said, that many of them had rested their capitals on the faith of the bill which had been introduced by government, but which had failed. He should certainly be sorry if they suffered loss; but that was no argument for the measure; because they ought to know the constitution of this country better, than not to be aware that government could not do anything upon the subject without the consent of the legislature; and therefore, they ought not to have run any risk. In his opinion, instead of any bill of this nature, it would have been infinitely better if government had taken upon themselves to issue whatever order in council respecting corn the circumstances of the case might seem to require. It could not be supposed that they would think such a course objectionable; because it was the course which they had taken nine months ago, and afterwards received indemnity for the proceeding. Certainly he was not one of those who would deny them indemnity for a similar act, if they could make out as good a case with respect to wheat this year, as they had made out with respect to oats last.

The Duke of Wellington said, he could not agree with his noble friend that it would be right to throw upon the government the responsibility of admitting foreign corn for consumption. On the contrary, he fully agreed with ministers, that it was expedient that some measure of the kind now proposed should be agreed to after the disappointment which had been experienced relative to the other mea-
sure which had not been carried. He was therefore disposed to give the present bill his support; more particularly as he considered it to be the same in principle with that measure, with the additional advantage of ascertaining, by experiment, what would have been the effect of that measure if carried; at the same time that it was limited as to quantity, so as to prevent any injurious effect. Under all the circumstances, therefore, he thought the present measure advisable, and strongly recommended it to the House. At the same time he could not help expressing his regret that it was not accompanied by the other measure, which had been before their lordships. Upon that subject he would say, that he never considered that what he did in any way militated against the principle of that bill, and would contend, that that principle might be carried into effect, even if the system of warehousing were not touched at all. His majesty’s government, however, thought that a system of prohibition was inconsistent with that principle; although he begged the House to consider what was the difference, or whether the effect of a duty was not similar to what they contended against. If that were so, then, in fact, prohibition had existed during the whole period, up to which corn was allowed for consumption. It had existed in 1773, and from 1791 to 1815, when what was done, was by the imposition of a duty; and the same might be again done in such a manner as to afford satisfaction to the country. Under these circumstances, then, he should consider the noble lords themselves responsible for the loss of the bill; which it had been said was lost by his amendment. He had been accused not only of proposing a measure, which was inconsistent with the principle of the bill, but of doing so from private and party motives. But he must say, that if ever there was a man who had proposed a measure individually, and without any knowledge whether he would be supported in it or not, he was the person. He would repeat, that he proposed that measure to the House, not only believing that it would have the support, but that it actually was the suggestion of one of the ministers of the Crown. He did not mean to say that he did not labour, in that instance, under a mistake; but if he did, he could assure their lordships that he was so mistaken with a great many others, who had both before and

since the amendment, read over the letters of the President of the Board of Trade, and who still attached to them the same meaning which he did when he proposed the amendment. He should observe, too, that if that measure were inconsistent with the principle of the bill, it was not more so than others which had been admitted into it. He thought it right also to say, that during the discussion upon the subject, he had endeavoured to impress upon the government the necessity of taking it out of his hands, and of carrying it themselves. That he had done not only by the correspondence, part of which he had before read to their lordships, but by other communications, not only with the President of the Board of Trade, but with his noble friend the Secretary of State then present.—His grace then read the following letters:

"London, June 4, 1827.

"My dear Huskisson:—As you say that I misunderstood you, however much I had enjoyed the pleasant task of repeating your letter of the 24th, I must have done so. But I certainly never entertained a suspicion that I had misunderstood you; and even now, after referring to your letter of the 24th to you, and examining your letter to me, I cannot but think that I should have sought out for a difficulty, if I had affixed to your letter the meaning which you state that you intended to convey.

"I stated to you an evil, permanent in its nature, resulting from the operation of the warehouse system on that of the proposed Corn-law; and I proposed a permanent remedy. In answer, you stated very good reasons against what I had proposed, and you tell me, that, ‘had my proposal been, that no corn bonded after the passing of the present bill should be allowed to be entered for home consumption till the average price had reached 6s., and that thenceforward all corn so bonded, or thereafter imported, should come under the regulations of the bill, individually you would not object to such a proviso:’ and you add, ‘It (this proviso) would insurce, that no quantity beyond that now in bond should be thrown upon the market, unless, in spite of that quantity, the price reached a level which might be fairly taken as an indication of our being in want of a further supply from abroad.’

"It thus appears, then, that having stated to you a permanent evil, the existence of which is not denied, I was to con-
the measure proposed by Lord Liverpool, to the principle of which, notwithstanding that opinion, I consider myself a party, and I have accordingly supported the government in every division that has taken place in the House of Lords. I don't consider the amendments proposed by me, to be at all contrary to the principle of Lord Liverpool's measure, which was, to protect home agriculture by the levy of a duty on foreign corn imported, and to regulate this duty by the price of corn in England, discovered by averages taken weekly, and not by six weeks' averages. Since Lord Liverpool's plan was formed and agreed upon, a committee has sat in the House of Lords, before which it has been proved, that nothing can prevent frauds in taking the averages, nor the abuse of the existing warehouse system, for the purpose of carrying into execution the objects of those frauds.

The warehouse system then must be reformed; and as Lord Liverpool's principle might exist even if the warehouse system were abolished in relation to corn, or under whatever modification it may be allowed to continue, it is no departure from that principle to adopt a moderate prohibition, applicable only to corn in warehouse, as the modification.

I declare that this impression is so strong upon my mind, and, considering the subject in all its bearings, it appeared to me that the proviso agreed to by the House of Lords, so completely met the evil, and was so just towards all parties, that you must have calculated it exactly upon the 'basis' of the price of 62s. the imperial quarter, and the expenses of carrying corn from the warehouses in Holland to this country. Believe me, etc.

Wellington.

Earlham, Petersworth, 5th June, 1827. My dear Duke:—I have received by the post, this morning, your letter of yesterday's date.

I regret, on every account, that the proposition which I wished to convey in my letter of the 24th ult., was so stated, as to lead to your misunderstanding my real meaning. So little did I, before last Saturday, contemplate any risk of having been misapprehended, that when I received (whilst in the House of Commons, on Thursday evening) the inclosed note from Lord Goderich, I immediately sent him an explanation, from hence, to the same effect as that which I have since given to
your. I am sure, if Lord Goderich is
referred to, that he will do me the justice to
confirm this statement.

"From the moment I was informed
that you considered your amendment as
originating in my suggestion, I was satis-
fied that there had been some mis-
understanding; and as the nature of it is now
cleared up, I will not trouble you with
any controversial argument upon the true
construction of the words which you have
quoted from my letter of the 24th. The
sentence (indeed the whole of that letter)
was hastily written, and, I admit, might
have been more clearly expressed; but
when, in the latter part of that sentence,
I state, "that the regulation to which I
saw no objection would insure that no
quantity beyond 'that now' in bond
should be thrown upon the market, unless,
in spite of 'that quantity,' the price reach-
ed a level (namely 66s.), which might
fairly be taken as an indication of our
'being in want of a further supply from
abroad,'—I must avow myself at a loss
to reconcile the construction of words
which appear to point to this meaning,
namely, that the specific 'quantity now'
in bond should be protected against com-
petition with 'any further supply from
abroad,' until the average price at home
should have reached 66s.; with your pro-
viso, which leaves the supply from abroad
free 'at all times' to come into the British
market, without reference to any average
price; whilst it locks up any wheat which
may hereafter be 'bonded in this coun-
try,' up to the same price as that at which
it was the drift of my proposition to keep
foreign wheat locked up in the 'ware-
houses abroad,' until the 'quantity now in
our own warehouses' had been disposed
of.

"How then could your amendment and
my suggestion be convertible propositions?

"The real truth is, that what was upper-
most in my mind, when I threw out
this suggestion, was the inconvenience
which might arise from letting into con-
sumption further supplies of wheat, here-
after to arrive, until the greatest part of
the quantity now in bond should have
been disposed of. The limiting the
supply, in the first instance, to the
'now' bonded corn, was a question
which had been mooted in the Cabinet,
if I recollect right, by Lord Westmore-
land. I own that I thought (as I under-
sstood him to think) that, within certain
limits, there were reasons for giving priority
to that corn, before we suffer fresh supplies
to come into the market from foreign
countries—an arrangement temporary in
its nature, but in its operation, by the bye,
the very reverse of what your amendment
contemplates as a permanent system.

"You will, therefore, perceive that in
writing the unlucky paragraph, which is
the origin of all this confusion, I was no
longer thinking of the 'permanent evil,'
your proposed remedy for which I had
discussed in the former part of my letter.

"Having no copy of the Corn-bill with
me here, I am quite incapable of forming
any opinion as to the effect of the word
'British,' in the second clause of the 'bill,
an amendment of which I was not aware
until I received your letter this morning.

"I shall, for many reasons, be sorry if
this bill should be lost, and nothing done
in respect to our Corn-laws in the present
session of Parliament. But, whatever may
be the fate of the bill, or however produced,
I never for a moment can doubt, that, in
the part which you have taken, your
anxious object has been to render the pro-
posed measure as free from objection as the
nature of the subject, dealing with such
complicated interests, and through such a
variety of transactions, will admit. I re-
main my dear Duke of Wellington, ever
faithfully yours,

W. HUNSHIBORN."

His Grace continued to say, that he
only entered upon that topic, because, in
order to prove beyond any possibility of
error, the reasons and the motives which
had influenced him in the cause he had
pursued. Any feeling of party, or of fa-
ction, or of the least desire to embarrass, he
utterly and entirely disclaimed: nor had
he any other than the one view of making
the measure more palatable to the country;
as he believed would have been the case,
had his amendment been agreed to.

Lord Goderich disclaimed any intention
of uttering a syllable which could, by the
remotest possibility, impute to his noble
friend any but the best motives for his con-
duct; and he was sure, on the other hand,
that his noble friend would do him the
justice to believe that he had opposed the
clause which had been proposed by his
noble friend on no other ground but his
conviction that it would not effect the pur-
pose required. It was undoubtedly true,
that before the committee on the bill his
noble friend had communicated to him the
that may be calculated to excite angry feeling in any quarter— a feeling, which, I trust, is now fast subsiding. I have also the satisfaction to feel and declare, that it is the more unnecessary for me to trespass at any length upon the attention of your lordships after the statement of the noble duke, so remarkable for its propriety and clearness, and which placed the motives of those who acted with him on a late occasion in so pernicious a light, that it would be presumptuous in me, or in any man after him, to attempt its vindication; or to justify the motives by which those noble lords were influenced who concurred with him in a late amendment—an amendment sanctioned by a majority of this House. After what has fallen from the noble duke, I am sure there is no man with a spark of candour and honesty who can say that that amendment was proposed with the intention of defeating the bill. This has been, I know, calumniously asserted; but the calumnious assertion had been met by the indignation that it merited. It had been admitted by the President of the Board of Trade, that the amendment might possibly originate in an ambiguous expression of a letter written avowedly in haste by that right hon. gentleman to the noble duke. The mind of the noble duke became impressed with a conviction of the utility of introducing that proposition into the bill, as he understood it; and he persevered in it, not for the purpose of defeating the bill, but for the purpose of furthering it, by the introduction of such regulations as he saw incident to the completion of its regulations. Yet, for such a course of conduct was the noble duke, and those who acted with him, visited with the most calumnious aspersions—aspersions, however, which no one had the indecency to cast upon him in this House. Yet were those aspersions most insidiously and industriously circulated throughout the country; so that no person could take up a newspaper without meeting them. Yes! the calumnious aspersion had been widely spread, that our object in the introduction of an amendment into a bill, lately brought from this House was, to defeat, by indirect means, that which we dared not openly to oppose. It had been alleged, that it was our object to procure the rejection of that bill, and thereby refuse relief to the poorer classes, in one of the first necessities of life. By the admissions of the noble viscount, we stand acquitted of entertain-
ing such purposes; and in the deliberate judgment of the whole country, I am satisfied it will be admitted, that we should have acted inconsistently with our duty as legislators, if, from the apprehension of such calamitous aspersions as I have alluded to, we had hesitated in the adoption of such amendments as we conscientiously conceived to be an improvement of the bill, and a corrective against possible dangers. But if this bill has been lost, it was not by this amendment. We were disposed to adopt the bill with this amendment. The bill was lost by the refusal of the noble viscount to persevere in carrying it through with this amendment annexed to it. For his refusal to persevere, I have no doubt the noble lord had reasons which were satisfactory to his mind, as to the propriety of the course upon which he determined. The noble lord had it in his power to choose between two courses—either to carry through the bill, and submit to an amendment which did not meet with his approbation, or to withdraw the bill rather than have it encumbered with it. But this I must say, that I myself, and those by whom that amendment was supported, had no apprehension that the noble viscount would be induced to this alternative, and it was with the greatest surprise that we saw him placed in such a predicament. As to the present bill I shall support it; and I am induced to do so, as I find there is nothing in it inconsistent with the late amendment proposed by the noble duke. Although I own there has not been, in my opinion, a case of necessity made out to warrant its introduction, yet I will give to it a reluctant assent, as it contains nothing necessarily detrimental to the general interests; because it is but a temporary measure; and because, during the interval of its operation, an experiment will be tried upon the scale of duties, which will enable us to come with the advantage of enlarged information to the discussion of a measure which we are told is to be submitted upon this subject next year. I would now ask, what does the present bill propose to do, as compared with the late amendment? Is it not proposed by this bill to remedy any alleged evil that might be consequent upon that amendment? No such thing. There is nothing in this bill inconsistent with what that amendment proposed. Yet it was given out that this bill was rendered necessary, in consequence of the passing of that amendment in this House. What is this, I ask, but a wilful misrepresenta-
tion? A mistake may be set right—a prejudice may be removed—an argument may be combated by reason—but a determined spirit of misrepresentation could not be fairly encountered; for its malignity was only excited by every exposure of its falsehood. I say first, then, for the thousandth time, that it is a gross misrepresentation to assert, that the amendment was adopted in this House with a view of defeating the bill; and, secondly, I say that this bill is not rendered necessary to correct any evil that it is asserted would result from the adoption of that amendment. Have they who make this assertion read this bill and the amendment? Have they compared them; and in what do they find an inconsistency between them to consist? For my part, as far as any feeble words of mine may reach and may have influence—I wish it to be known, that I support it, because there is no part of its provisions inconsistent with that amendment. The object of that amendment was, to prevent too great an accumulation of corn in bond, and to prevent frauds, by providing that no “Wheat should be taken out of bond, so long as the average price, within this kingdom, as settled by virtue of this Act, shall be less than 66s. a quarter.” Now, from the correspondence between the noble duke and the President of the Board of Trade, from whose opinion it was to be presumed the ministers would not dissent, it was admitted to be a desirable thing that “no Corn bonded after the passing of the present Bill should be allowed to be entered for home consumption, till the average price reached 66s., and that thenceforward all Corn so bonded, or thereafter imported, should come under the regulations of the Bill.” This was acceded to by the right hon. gentleman, no doubt for the desirable purpose of checking the accumulation of corn under bond; which was also the purpose of the noble duke in proposing the amendment. The opinion of the President of the Board of Trade was conformable with the amendment of the noble duke, and the only difference between that amendment and the present bill was, that as the present bill is from its nature temporary, those regulations are temporary also to which the noble duke’s amendment would have affixed the character of permanency. One reason for
upon the honour of my noble lord, and now that he has consented to be present; for I know that the amendment would be fatal to it in the other House of Parliament, and it was desirable that the privileges of the two Houses might not be brought into collision. The present is recommended to us, however, not from an apprehension of such a collision, but on its own merits [hear, hear!] from lord Goderich. I know the advantage which the noble lord may be disposed to take of an admission which he may suppose to weaken my argument, but as I have touched on the question of privileges, and as it is one on which great misrepresentation has gone abroad, I must remark, that the late bill was somewhat unnecessarily sent up to this House as a Bill of Supply; in which it is not permitted to us to make a greater alteration than the correction of a verbal error. As that bill was to have an effect upon the duties, it partook of this character. This was an apparent difficulty, which was easily removed, as may be shown from a case which is termed by lawyers "in pari materia." In the committee on the Corn bill in this House, an amendment was carried against the opinion of the noble lord, who then presided here; by which amendment, according to the jealous scrupulosity with which the House maintains its privileges—the bill was formally lost, What was the course then pursued? Though that bill was lost, another on the same subject was introduced, in which the amendment of the House of Lords was included, and thus the difficulty of interfering with the privileges of the other House was got over, and the bill in this amended shape passed both Houses of Parliament. Thus were the full powers of deliberation by this House reserved. Was it necessary, therefore, on the ground of privilege, that this bill should be rejected? No. And, although knowing this amendment to be formally inconsistent with the privileges of the other House, I did not suppose it would have necessarily occasioned the loss of the measure. I assert, upon the honour of a peer, that I did not support that amendment in the expectation or the wish, that by its adoption the whole measure should be defeated. What had been done on a former occasion might have been done on this; but I must say, that besides the disadvantages in other matters to which the calamity that has befallen a noble lord (Liverpool) has subjected us, it is not the least of those disadvantages, that his majesty's councils should not be marked by the same discretion and the same temper which distinguished them when he presided over them. The noble lord proceeded to comment again upon the amendment, which, whilst corn was now at 57s. or 58s., would not probably come into operation at all—at least from the prospects of the ensuing harvest, or from any probable or almost possible circumstances that could occur, there was no likelihood of the price reaching 60s. certainly not for the next year; and until it had reached that price, the amendment was inoperative. Indeed, from all that was probable to occur, and from the late measures of interference with the state of our currency—measures which, though they afforded a temporary ease, only prepared us for a future panic—it was much more likely that corn would shortly be at 46s. rather than 66s. a quarter. After having repeated, that the difference between the noble duke's amendment and the opinions of the President of the Board of Trade had been calumniously misstated, and the consequences of that amendment exaggerated by persons who owed their very existence to the noble duke—he spoke not now of his great military services, but of services of a different kind—he proceeded: I have little more to say, after having fulfilled the purpose for which I had risen—the attempt to set myself right with the House and with the country as to the part I have taken upon this subject; and, what is more important, to vindicate the character and uphold the propriety of the proceedings of a majority of this House. I support the bill now before us, as I do not apprehend it will be detrimental to the agricultural interests; but, should any such bill, in the ensuing session, be presented to us, I do trust we shall resist it with moderation, with discretion, but at the same time with firmness; not for the sake of the agricultural interests, but for the sake of those interests that are bound up with and inseparable from them. It may be that for the agricultural interest, I entertain a partiality of which I am not conscious, but to which, from my situation, I acknowledge I am liable to entertain. However that may be, I do believe that in the landed interest is to be found, more than in any other, the foundation of the strength of the constitution of this country; and, therefore, to that interest, more than to any other, is it the interest and the duty
of this House to extend due and fair protection; for, beyond this, God forbid that any interest should either expect or obtain any protection whatever! I maintain, that it is due to that interest that this country should render itself as independent as possible of foreign supplies of corn; and that to all interests of the community, and to none more than the commercial and manufacturing, is it essential that as much of the land of this country as is capable of it, should be brought into cultivation. These principles I maintain, regardless that for maintaining them it may be unjustly imputed to me, that I uphold the interests of the rich to the sacrifice of those of the poor. The most eager advocate of liberal principles cannot shake the soundness of those principles, which were so admirably enforced in a letter, the writer of which, I trust, still maintains the same. If (said that writer) they effect the throwing open our ports to a free trade in corn, the consequence will be that of throwing a great part of our land out of cultivation, and risking all the inconvenience of sudden changes and convulsions in our relation with foreign countries: though, for a time, we may have cheap corn, yet, upon the long run, the price of this first necessary of life will increase, and the profit, as well as the power, of supplying us as they please, will be in the hands of foreigners." The maintenance of such sentiments is not at variance with popular rights, but essential for public prosperity. Popular rights I have ever upheld, whenever and by whomsoever they were assailed. I have made some sacrifices for them. I am ready to make more. At the same time, when I have met wild and extravagant claims and doctrines under the name of popular rights, I have not shivered from the obloquy to which an opposition to them may have exposed me. To that obloquy I am as ready again to expose myself, as I am to endeavour to retrieve the constitution from those invasions which I have considered as most dangerous to popular security. But at the same time that we should be anxious to uphold the dignity of the Crown, and to protect the just rights of the people, we should remember that we, as well as they, have rights and privileges given to us, not so much for our benefit as for theirs; that we are an intermediate body, forming a link of connexion between both, and standing as a barrier to resist the encroachments of one upon the rights of the other. These respective rights, in their legitimate exercise, I am anxious that all should enjoy. Animated by these motives, and acting upon these principles, I hope we shall all come to the dispassionate consideration of this important question in the ensuing session, and trust that it may be settled on a basis, which shall give general and permanent satisfaction.

Lord Goderich wished to be allowed to make one observation with respect to an expression which fell from the noble earl: The noble lord, in alluding to the tone in which the motion had been brought before the House, said that it conveyed something of an apology. He must take leave to tell their lordships and the noble earl, that he made no apology. He made no apology, because he did not think there had been any offence. If, however, their lordships should ever find him deviating from that course of duty and respect, which he was equally bound as a peer and as a member of his majesty's government to observe towards their lordships, then they would be entitled to call upon him for an apology, and then it would be his duty to make that apology. In this case; he repeated, he made no apology; because whether the measure which he proposed might prove right or turn out to be wrong, it was his duty to bring it before their lordships; and he claimed the privilege of maintaining his opinions and his measures with the same earnestness as the noble earl or any other member of their lordships' House.

Earl Grey said, he did not intend to offend the noble viscount by the use of the word apology. Perhaps he ought rather to have said the noble viscount made an apologetic explanation; for such it might be called. He repeated; however, that he did not mean to use the expression in any way which the noble viscount might deem offensive; and although he was not a person in the habit of retracting what he had once uttered on such occasions, yet he would say, that if any expression which fell from him had offended the noble viscount, he was sorry he had used it.

Lord Goderich.—I have not a word more to say.

The bill was read a second time.—Lord Goderich then moved the order of the day for the third reading of the Corn Averages bill. The noble viscount introduced a clause, giving his majesty, by an order in
council, permission to take averages at certain towns in the kingdom. This clause was proposed, in lieu of the one which had been lost by the singular divisions which had taken place on Friday. The clause was agreed to, and the bill passed.

- HOUSE OF LORDS.

Tuesday, June 26.

FOREIGN OFFICE.] The Marquis of Londonderry said, he was anxious, if not inconvenient to the House, to take that opportunity of saying a few words respecting the papers on their lordships' table, which he had moved for, relative to the Foreign Office. In making these observations, he felt great diffidence and some reluctance; for it would give him great pain if it were supposed that he had been induced by personal motives to make any observations on those papers. He also felt great reluctance in bringing forward this affair, because circumstances had induced his noble friends, who had given notice of motions in a substantive form, to abstain from pressing them forward. Still, though he felt much reluctance in pursuing the course he was about to follow, he did not shrink from doing so, because his noble friend opposite had intimated, that touching upon these matters in no specific form was something like faction. Faction was a school he had never been brought up in; and he trusted that he never should be guilty of faction. Whatever he might have to urge in their lordships’ House, he should always state openly and distinctly. The government had been formed by manoeuvre and intrigue, and fostered by delusion, and could not stand. That was his firm opinion. He wished his noble friends had gone on with the motions of which they had given notice. The sense of the House would then have been long ago taken on them, in such a way as would have placed the noble lords opposite in such a state of embarrassment as would have made it difficult for them to extricate themselves from. He thought the government was formed without any principle at all. The noble lord opposite had said, that they should be the basest of all men if they did not act on the principles of lord Liverpool. A noble lord, who had great weight, had said, that the government was not formed on the principles of lord Liverpool, and he must therefore infer that the government was formed on no principle whatever. Fortunately for the noble lords, they had nearly arrived at the close of the session. He would now refer to the returns from the Foreign Office. The establishment at home remained much the same as before; but with respect to that abroad, he would state the totals in round numbers. The total expenditure of that office in 1822 amounted to 241,255l.; in 1826, to 285,827l.; making an increase of 44,582l.; which, after admitting the allowance for consuls, which was formerly about 28,176l., making a clear excess of upwards of 16,406l. That was certainly not a very great sum; but let their lordships look at the immense increase of patronage in the Foreign Office. The whole expense in 1822 amounted to 241,255l.; in 1826, 372,439l., making an increase of 131,984l. —The second return was that of the appointments by the Foreign Office; by which it seemed that, to the new states of America there were three new envoys extraordinary, twenty-five consuls and vice-consuls; besides fourteen new consular appointments in France and other European states, making altogether thirty-nine new consular and vice-consular appointments. —The next return was the account of secret service money. By the return it appeared, that the secret service money in 1822, and the preceding years, never exceeded 30,000l., excepting one year, which might be easily accounted for; but from 1822, down to the present period, it had been gradually increasing, until last year it amounted to 58,000l. The sum of 35,000l. was spent at home, and 23,000l. abroad. Now, without questioning the honour or oath of any one, he must consider the expenditure of 35,000l. at home a most lavish and monstrous expense. He did not doubt the fact of its being expended; but he questioned the judgment of those who had the disposal of it. Their lordships, however, had heard a noble friend of his, on a former day, state, that he had never known such exactness in the disposal of secret service money as during the time of the right hon. gentleman; and they had heard a eulogy on his merits, that he had never expended a shilling without receiving a quid pro quo for it. He did not know how that might be, but he did hope that foreign secretaries did get a quid pro quo for their money at home. He was anxious to know what had been received for it, for
he was at a loss to know how 35,000l. could be so expended: perhaps, to be sure, the Spanish Liberals had been subsisted on it. It was clear that the expenditure of the last four years had exceeded the preceding four years by 16,000l.—The next return was the Foreign Office building and furniture account, amounting to 42,147l.; one item for furniture amounted to 8,000l.; a sum that he considered enormous. He thought that if the right hon. gentleman was entitled to an expenditure of 8,000l. for furniture alone, that other great officers of state were equally entitled to a similar sum. He thought that they ought not to object to a large grant to the Lord High Admiral, when such sums had been granted to other individuals. It appeared singular to him, that these various items had come up to them without any observation; but he could only account for that, by reading an account of the way in which the speech of the First Lord of the Treasury had been received in another place; by which it would appear, that he had obtained such a dominion over the minds of certain individuals, as to prevent any animadversion on such expenditure.—The next return was that of the pensions to foreign ministers, on which there was an increase of about 5,000l. With regard to this return, he must state a case with respect to himself, which, under any other circumstances, he should have been unwilling to mention; but he must distinctly say, that he had been personally injured with respect to this particular return of the Foreign Office. The right hon. Secretary had unnecessarily or wantonly brought forward charges against him which he felt himself bound to repel and deny. For that purpose he had entered into a correspondence with the noble lord opposite; and if the noble lord chose to give that correspondence to the public, or to disclose it in any other shape, he should have no objection to it, and by that correspondence he would be judged. The result of the whole of these returns was,—that in 1822, the expenditure of the foreign establishment abroad amounted to 241,546l., which, together with the pension list, taken at 30,000l. and other items, made a total of 324,362l.; while, in 1826, it had increased to 397,439l.; added to which the pension list of 58,447l., the building and furniture account of 43,147l. with some other items, produced a total of 531,836l., making an increase of 207,534l.; which, after every possible allowance for the new states of America, showed an increase of expenditure of about 70,000l., during the last year. He wished these facts to be known. He was sure the noble lord would have no objection to their being made public; as he was, no doubt, anxious that a true statement should appear of the state of that office, the patronage of which far exceeded any thing that the noble lord's predecessors had enjoyed.

Lord Dudley and Ward.—Do you intend to make any motion on the subject? The Marquis of Londonderry.—None.

Lord Dudley and Ward said, he thought the noble marquis had adopted a most extraordinary course, after he had called for papers which had been laid upon the table a considerable time.

The Marquis of Londonderry.—The last only yesterday.

Lord Dudley and Ward resumed. The noble lord, after much note of preparation, had come down to the House to make a desultory speech, inculcating a particular department of his majesty's government, without giving any public notice, and without ending with any specific proposition. He felt that, under these circumstances, he was not justified in giving any answer to what he must say (without intending any offence to the noble marquis) must be considered, according to the practice of parliament, unfair remarks. Their lordships would remember, that when the papers to which the noble marquis alluded were asked for, they were moved for with considerable pomp, as if some delusion had been practised—as if they were to prejudice some important motion—and as if some great discovery had been made. The noble lord said, he wished to place before parliament and the country an account of the vast patronage of the Foreign-office, and to contrast the expenses of that department of the government in the years 1822 and 1826; that was, speaking plainly, to contrast the expenses of the administration of the late marquis of Londonderry with that of Mr. Canning. The papers which the noble marquis moved for had been produced; and what was the result after all? Why, it appeared that there had been hardly any increase of expenditure in the Foreign-office, except that which was satisfactorily accounted for by the increased expense in the consular department—an arrangement that had re-
caused the sanction of the late marquis of Londonderry, though not effected during his administration; the principle of which was, that salaries should be substituted for fees. Their lordships were also aware of the increase in the consular department—an increase at which all parties must rejoice, when it was remembered, that it arose from our extended commerce and increased intercourse with foreign states. He alluded to the expense of our missions to South America—details which would be sufficiently established and explained by documents which had been laid on the table of the other House. Another point to which the noble marquis had adverted was the expense of the house in Downing-street. That House had been purchased for the Foreign Secretary at an expense of £18,000l.—a large sum of money he must admit; but if secretaries of state were to have official residences provided for them at all, they should be in some degree suited to the station of those who were to occupy them; and as to the house in question, he would maintain, that it was not equal to the houses in which secretaries of state of other countries were lodged, nor to those of foreign ambassadors, and was not for a moment to be compared with the palace in which the noble marquis had resided at Vienna.—Another topic to which the noble marquis had adverted, and challenged him to lay the particulars before the House, he must also mention. He had understood the noble marquis to say, he had been calumniated and injured by the returns from the foreign-office. He had alluded to a correspondence which had taken place on the subject of a pension to which he conceived he was entitled for his diplomatic services; and had said, that if he (lord Dudley) would lay the papers before the House and the public, he would be judged by them. He must decline adopting that course, but the history of the transaction he would briefly state. The noble marquis made an application on this subject, by letter, to the Under Secretary of State—a gentleman who had long filled that office, Mr. Planta, stating the grounds which, in his own opinion, entitled him to a pension. The letter thus written was, of course, handed to the Secretary for Foreign Affairs, who, not wishing to take upon himself the responsibility of deciding on such an application, or of setting a value on the services of the noble marquis, transmitted it to lord Liverpool, then the First Lord of the Treasury. If he mistook not, the application was renewed; and then it was that lord Liverpool shortly after returned the letter to the Foreign-office, in which he had made the remark in pencil, which had been communicated to the public through the medium of a newspaper.

The Marquis of Londonderry. — The noble lord had better say “through the medium of the Foreign-office.”

Lord Dudley and Ward. — The noble marquis said, it had been made public through the Foreign-office. He should like to know how the noble marquis could know it without a most scandalous breach of trust—a most scandalous breach of duty on the part of some person in that office (hear, hear). He would repeat—how could the noble marquis have known it, but through a most scandalous breach of duty on the part of that person from whom the noble marquis had derived his information? On the noble marquis’s application, lord Liverpool had written, in pencil, the words—‘This is too bad.” And he had seen them himself. There was no breach of confidence in stating this; he had no motive in so doing; but when he was told, that the noble marquis had been calumniated by the returns from the Foreign-office, he could not allow noble lords to go away under the impression, that something very unjust had been done to the noble marquis. Now, with respect to the breach of confidence, as it had been termed, although the fact must have come from the Foreign-office, yet he protested he had no knowledge by what means, or through what channels, it had reached the newspapers. He was now only speaking of the transaction, as an instance of extraordinary breach of confidence on the part of the individual through whom the knowledge of it had escaped to the public. He did not want to bring any censure on the noble marquis: the transaction itself was one upon which he wished to be understood as expressing no opinion whatever. The noble marquis had adopted a course which he thought was suggested by his duty. How far he was right in so thinking, it was not for him to say. He was bound to suppose that the noble marquis had acted under a conscientious sense of duty; and he was not attempting to draw down any censure upon the conduct he had thought proper to pursue. The observations of the noble marquis,
not followed up by any motion, were so irregular and of such a nature, that he did not feel himself called on to go through them in detail. The motion, however, which had been made by the noble marquis—with what object he would not say, because it was not parliamentary to impute motives—had certainly been made with a tendency to throw censure upon the conduct of the right hon. gentleman who had lately been the Secretary of State for Foreign Affairs, but whose great crime was, that he now filled the chief seat in his majesty's councils. It had been made with a hope—a vain hope—of fixing a charge of prodigality upon that right hon. gentleman. Now, when he had heard that charge of prodigality preferred against his right hon. friend, he had thought it right to make some inquiry into the subject, and he found that, during the period of between thirty and forty years, for which the right hon. gentleman had been in the service of the country, and to which service he had brought no slight share of ability and industry, he had received of the public money, a sum of between 60,000L. and 70,000L., for his services. On the other hand, he believed that the noble marquis had been in the public service about ten years; and for his services in that period, he had received of the public money 160,000L. [loud cheers]. He begged not to be understood as casting any imputation upon the noble marquis in stating this fact. He did not mean to say that his services were not cheaply purchased; because he was not acquainted with them, and was therefore incapable of pronouncing a judgment upon them [cheers]. But, when an attempt was made to fix upon his right hon. friend, by implication, a charge of prodigality, he could not help thinking, that he was bound to state these circumstances to their lordships, in order that the public might judge between his right hon. friend and the noble marquis, and say whose services had been most valuable to the country, in proportion to the remuneration which they had received for them. The noble marquis had made some other observations; but as he considered them wholly irregular, and as there was no proposition before the House, he would not occupy any more of their lordships time in replying to them.

The Marquis of Londonderry hoped that he should be excused for again trespassing upon their lordships, after the extraordinary mode of answering his observations adopted by the noble lord. He had alluded to the amount of certain sums of public expenditure, as appeared on the face of the papers on their lordships table; and in reply to this, the noble lord had thought proper to go into a defence of a personal accusation with respect to a transaction with which it had nothing to do. Since the noble lord, however, had thought proper to mention that transaction, he should not have contested himself with stating only a part of it. He called upon him to state the truth, the whole truth, and nothing but the truth; instead of which, he had given their lordships a partial and garbled statement. Now, he would not take up the time of the House upon this subject further than to read to their lordships a letter that he had written to the noble lord, which would show what the real facts of the case were. The noble marquis had here read the following letter:—

"Holderness House, May 14, 1827.

"My dear Lord,—Having just read in 'The Times' newspaper of to-day a libel upon my character, in which it is stated, that upon an application of mine for a pension, out of the prescribed form, lord Liverpool had himself endorsed these words—"This is too bad"—I feel persuaded that you will inform me whether, in your opinion, it be possible that, accidentally or otherwise, the office over which you preside can have been accessory to such a statement. If the fact be true, it will show that confidential or official documents are communicated for indirect purposes of personal attack, not where they can be met and answered, but by throwing them into anonymous channels. Whatever may be the character given of my proceedings in parliament, I disclaim any thing but being direct and open against public men and public measures, and I despise any other mode too much to have recourse to it.

"I request, therefore, before I take any further steps, that you will have the goodness to favour me with an answer to the quees I have made, and that you will forward me, as soon as possible, copies of all the correspondence relating to my application for the pension, together with Mr. Canning's letter, as to my services, on my resignation of the Vienna Embassy.

"(Signed) "Vane Londonderry.""

The answer of the noble lord opposite was a complete denial; and he consequently
thought the thing at an end. In eight or ten days afterwards, however, he received a letter from the noble lord, saying that since his former letter, he had discovered that the pencil-mark alluded to did actually exist. Upon receipt of that communication he wrote to the noble lord as follows:—

"Holderness-House, May 23.

My Lord,—My absence at Chiswick until a late hour last night, prevented my answering your lordship's letter sooner. As it now appears that a private and confidential remark of lord Liverpool's, arising out of my private communication to Mr. Planta, on my resignation of the Vienna embassy (of the existence of which, or any thing like it, I never could have the least intimation), has, after a lapse of six or seven years, been anonymously conveyed to the public from the Foreign-office, and has now been for the first time, officially communicated to me, I think it necessary for me to place all indirect attacks at defiance, and to show—1st, From the records in the Foreign-office, that all the diplomatic servants of the Crown received pensions, with the exception of myself, who gave up to lord Liverpool's nomination a military government of 600l. a year for life, without any equivalent, in 1821, the year preceding my retirement from the Vienna embassy; 2nd, To show the estimation in which my humble services, military and diplomatic, were held by my sovereign and superiors, during thirty years' service, and especially during the period I held the situation of his majesty's ambassador at Vienna.

(Signed) 

Vane Londonerry.

Now, what he complained of was, that an anonymous publication of this description should go forth, for the purpose of injuring his character, after the lapse of time which he had mentioned. With respect to the noble lord, he felt obliged to him for the kindness he had shown him in bringing forward this subject on the present occasion. He was desirous, however, that the whole correspondence which had taken place upon it should be shown to the public; for there was no act of his life, either public or private, of which he had ever felt ashamed.

Dissenters' Marriages Bill.] The Marquis of Lansdown, in moving that the House should go into a committee on this bill, said he wished to avail himself of that opportunity to make some observations on the bill. But before he entered upon those observations, he must remark upon the irregular discussion which had just gone by; not for the purpose of adding anything to what had been said upon that subject, but in illustration of the inconvenience of entering upon the discussion of subjects, of which notice had not been previously given. He adverted to this inconvenience, as it had deprived him of the advantage of the support of the right reverend prelate at the head of the church, who had attended that evening for the express purpose of supporting this bill, but who was prevented from remaining in the House, by the state of his health. Their lordships, who remembered the sentiments of that right rev. prelate on a former occasion, would bear testimony to the spirit of toleration, which he hoped would always characterize the clergy of the Established Church, and by which he was particularly anxious to see the heads of that church distinguished: He was instructed by that right rev. prelate, to say, that his sentiments remained unaltered upon this subject. Bills containing provision for the relief of the Dissenters, had been two or three times sent up to that House from the House of Commons, and rejected by their lordships; but he was happy to say that a very general feeling prevailed amongst those who had formerly opposed those bills, to give some relief to the Dissenters; and he believed he might even say, that the right rev. prelates had expressed an anxiety to adopt some measure; by which the Dissenters might be freed from the necessity of giving utterance, as a mere matter of form, to sentiments which they entertained not at heart; and, at the same time, to avoid that scandal to the church, which resulted from having its creed and its ceremonies prostituted by the calling upon Dissenters, for temporary purposes, to give a feigned assent to doctrines which they declared they did not believe. That was the situation of the Church, and the evil from which the right rev. prelate and other members of the ecclesiastical body wished to be relieved; and, he confessed, it was beyond his power to conceive, how those persons who attached importance to the due observance of the forms and doctrines of the church, could wish to continue a state of things, under which those ceremonies were used for the purposes of extorting a consent, intended to evade, and not to fulfil, the purposes of the
legislature. Under the strong impression of the scandal which the law, as it stood at present, brought upon the church, he could not but express a hope, that their lordships would do something to meet the difficulties which presented themselves. Different modes of meeting these difficulties had been suggested at different times. A noble earl, lately at the head of his majesty's government (lord Liverpool), and who felt deeply the inconvenience which resulted from the state of the laws affecting the Dissenters, had expressed an opinion, that the difficulty might be best met by allowing some alteration to be made in the service of the church of England; but the right rev. prelates thought otherwise, and no attempt was made to carry that suggestion into execution. Different plans had been submitted to their lordships and rejected. The bill now under consideration attempted to reconcile, as far as possible, the jarring opinions which prevailed, and proposed to meet the objections which had been made at various times to the measures which came under their lordships' attention. Its objects were two-fold—that of making the ceremony of marriage a civil security, combined with the strongest attention to those religious ceremonies by which it was solemnised. In this country, up to the 26th of Geo. the 2nd, these objects had been very imperfectly provided for; but an innovation upon the existing law, commonly called Lord Hardwicke's Act, then received the sanction of the legislature. At the time when lord Hardwicke introduced that measure, it became necessary to exempt two classes of religious believers from its operation—the Jews and the Quakers; but he apprehended that no man could contend, that this exemption was intended to fix any slur upon the marriage of those persons, or to declare that they were not perfectly legal. Some insinuations had, he knew, been thrown out, from an authority of great importance, that the marriage of those opulent and industrious people, the Quakers—a people remarkable for the purity of their lives, and the extent of their good works—could not be legally recognised; but he apprehended, that there could be no doubt upon the subject; and some of the most learned lawyers this country could boast, had distinctly declared their opinion, that the marriage of Quakers was perfectly legal.

Sir Matthew Hale had distinctly given his sanction to the legality of the marriage of Quakers. Burnet, in alluding to the circumstance gives this account of the conduct and expressions of that eminent person on the occasion:—"In a trial that was before him, when a Quaker was sued for some debts owing by his wife before he married her, and the Quaker's counsel pretended that it was no marriage that had passed between them, since it was not solemnised according to the rules of the Church of England; sir Matthew Hale declared that he was not willing, on his own opinion, to make their children bastards, and gave directions to the jury to find it special, which they did." After some observations upon the nature of the case, and the conduct of the parties, the learned Historian goes on to observe, that "if this judge had not been more their friend than one of those they so called, their posterity had been little beholden to them. But he governed himself indeed by the law of the Gospel, of doing to others what he would have others do to him; and therefore, because he would have thought it a hardship, not without a cruelty, if, amongst Papists, all marriages were nulled which had not been made with all the ceremonies in the Roman ritual; so he, applying this to the case of the Sercaries, thought all marriages made according to the several persuasions of them, ought to have their effects in law." The noble marquis, after some observations upon the legality of the marriage of the Quakers being thus clearly proved, proceeded to contend that he was entitled to claim the same right for the Unitarians, and expressed a hope, that the time was now come when persons of that persuasion should no longer be invited to approach the altar with falsehoods in their mouths, or be compelled to subscribe to principles which they could not respect, and at the same time bring into contempt that faith which others hold sacred, for the gratification of mere secular and civil purposes. Adverting to the clauses of the bill, the noble marquis declared that he did not hold himself responsible for their perfection; but he knew that those who framed them had the assistance of some of those, whose experience and information best qualified them for the task. In the first place, the banns were to be published for the security of the public, and then the parties were to go before a magistrate and procure a certificate, that they had complied with certain
forms specified in the act; that certificate was then to be carried to the clergyman for the purpose of being registered. Some objections, he understood, were made to imposition of this duty upon the clergyman; but he, for one, thought it was one of those inconveniences which could not be avoided. The Registry act had been passed in the time of William the 3rd, as a tax, for the purpose of raising money to carry on the war which was then waged against Louis the 14th; but so beneficial had it since been found, and so important was it, in every point of view, for the interests of the public, that if the bill now before the House did not contain a clause to make that registry imperative, he could not possibly consent to give it its support.

The registration of one of the most important acts of a man's life was, in every point of view, of such infinite importance, that he thought the bill must prove inefficient, unless the clergyman was called upon to register the certificate.

The Earl of Eldon regretted the absence of the right reverend prelate on this occasion, because it was his misfortune to differ with him in the view which he took of this subject. He wished, in the first place, to separate from the consideration of the question every thing which had been said with regard to the Jews and the Quakers. In his opinion, the state of the Jews had no possible connection with the subject before their lordships. It might, perhaps, be different with regard to the Quakers; and he would here take leave to make an observation upon what had fallen from the noble marquis, when he spoke of a doubt having been thrown out respecting the validity of a Quaker's marriage. If that doubt related to any thing which had fallen from him, he must have been completely misunderstood; for he had distinctly given it as his opinion, that the marriage was perfectly valid. He was the more anxious to say this, because he was aware that doubts might have been raised, from the nature of the law on that subject. In 1661, they would find that the result of a proceeding at law admitted the validity of such marriages. In 1730, in another proceeding at common law, a doubt was cast upon the legality of a Quaker marriage, although its validity was afterwards confirmed upon a re-hearing of the cause. The 7th and 8th of William and Mary contain, however, a clause which decides the question; and by which, for the purposes of taxation, all persons living together are held as 'married persons,' whether they have been married or not according to the established forms. With respect to the marriages of Jews, a question arose in the court of Chancery as to their validity, so lately as the time when Lord Rosslyn was chancellor. A man claimed a legacy as due to him, on the ground of its having been left to a person whom he called his wife. The persons were a Jew and a Jewess, and the question in this case was whether the legatee was his wife. The Lord Chancellor directed this question to be tried by the Ecclesiastical court, and the case came on before the present lord Stowell. Lord Stowell, and also sir W. Wynn, who afterwards affirmed the judgment of lord Stowell, expressed their surprise that this case should have been sent to the court of Chancery; inasmuch as the lord Chancellor had just as much right as an Ecclesiastical court to decide incidentally on the validity of a Jewish marriage, as on that of a foreign marriage. They decided, however, that a marriage of Jews was to be considered as a marriage of foreigners out of the country. Now, the validity of a foreign marriage must be decided by the lex loci; but it was a maxim of law, that the Jews, who were everywhere, were in fact, no where. As the Jews, therefore, have no place in this country, as they have no locality, no lex loci can apply, but the validity of their marriages must be determined by their conformity with their own peculiar laws. Whatever the legislature had done with regard to the marriages of Jews and Quakers, and whatever it might be disposed to do with regard to the marriages of Dissenters, he trusted it would never assent to any measure, the effect of which would be to degrade the Church of England in the public estimation. With respect to the marriages of Quakers, he was certainly of opinion, that their marriages might be considered legal, under the exception in the 26th George 2nd. But let their lordships consider at what period of the session it was, that they were called upon to decide this most important question. He had given the greatest attention to this bill; he had weighed every sentence and line in it; but he found it utterly impossible to assent to the passing of it without a great number of alterations.
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Now if, labouring as he had done, with a  
view to make this bill better than it was,  
he had been unable to accomplish his ob-  
ject, he did think that no time or labour  
their lordships could bestow upon it would  
enable them to execute their work as it  
ocught to be executed. Besides, if their  
lordships introduced amendments, the  
amendments of this most important bill  
would go down to the Commons on Fri-  
day, and on that very evening the other  
House must decide upon the propriety of  
them; for their lordships were perfectly  
aware that no other opportunity would be  
afforded for considering them. The time,  
therefore, at which this measure was  
brought under the consideration of their  
lordships, was a sufficient ground for not  
passing it, even if the objections to it were  
less strong than he believed he should be  
able to satisfy the House they were.—It  
had been argued, that it was but just to  
do for Dissenters of this description what  
the legislature had done for Jews and  
Quakers. But admitting that the mar-  
rriages of Jews and Quakers were valid,  
under the exception in the Marriage act,  
he begged to ask their lordships, whether  
the Church of England had ever been called  
in to assist in those marriages? In the  
time of the Commonwealth, when men  
were married, as it was now proposed,  
before justices of the peace—a measure  
adopted for the express purpose of de-  
grading the clergy—the clergy were called  
upon to aid and assist in their own degra-  
dation. If their lordships should think it  
right to do that for Dissenters generally  
which had been done for Quakers, let  
them do so; but then they must do more  
than was proposed to be done by this bill.  
He begged to call their lordships' atten-  
tion to what this bill did, and to what it  
did not. In the first place, he should be  
glad to know who the persons were whom  
this bill proposed to relieve? What an  
Unitarian was had never yet been ex-  
plained. He had taken occasion last year  
to ask a right reverend prelate, who was  
now unfortunately absent, what was an  
Unitarian, and he could get no answer.  
Since that time, he had received a sermon,  
preached by a minister, before an Unitar-  
ian congregation, and the first words were  
—"The lord Chancellor asks what is an  
Unitarian?" This was, certainly, rather  
a singular commencement of a sermon; it  
was, however, a very good sermon, as far  
as he could understand subjects of that  
kind. The sole reason which led him to  
ask the question—and if their lordships  
should go into the committee, he should  
ask it again—was, that it might be re-  
corded upon the face of this bill what  
a Unitarian was. Was a Unitarian a  
person who denied the divinity of our  
Saviour? He should be exceedingly glad  
to get a definition of a Unitarian. He  
did not know what distinction there was  
between Unitarians and the Free-thinking  
Christians, who entertained these scruples  
about marriages. He begged their lord-  
ships to look at the language of these peti-  
tioners, that they might judge of their  
claims to the special interposition of the  
legislature.—The noble earl proceeded to  
read some passages from the petitions of  
the Free-thinking Christians, in which the  
petitioners stated, that the religion of the  
Established Church had no higher date  
than that of Popery, and that its laws had  
no higher authority than that of acts of  
parliment. What was the complaint of  
these Free-thinking Christians? Their  
children were baptized according to the  
forms of the Established Church; they  
were baptized in the name of the Father,  
the Son, and the Holy Ghost, and he did  
not hear that these dissenters made any  
objection to the baptismal ceremony.  
With respect to the marriage ceremony,  
what was objected to was, he understood,  
the mention of the Godhead under the  
name of the Father, the Son, and the  
Holy Ghost, when the clergyman at the  
end of the ceremony prayed the blessing  
of God upon the man and his wife. The  
calling upon God to bless them under the  
terms of the Father, the Son and the  
Holy Ghost—and every Christian of com-  
mon honesty and integrity, when he said  
God bless you, meant the Godhead in its  
Christian acceptation—was what these  
persons deemed so great a hardship. It  
was on such grounds that their lordships  
were called upon to make a law, not for  
the benefit of Dissenters of all denomina-  
tions, but for this particular class of Dis-  
senters, which according to all the evidence  
of history, held doctrines of a more offens-  
ive description than any other class. In  
his opinion, the best security for a reli-  
gious establishment was a religion of the  
purest form, with a large and liberal tole-  
ration. Such was the spirit of the tolera-  
tion granted in the act of the 53rd of the  
late king; and he was perfectly ready to  
admit, that the acts of the 7th and 8th  
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of William and Mary enacted penalties on account of religious opinions, which ought never to have been thought of. By the provisions of the bill now before their lordships, the clergy of the Church of England were called upon to publish the bans, on the declaration of the parties that they were Dissenters of this description. The clergyman was to certify, that he had published the bans to a justice of the peace, and the justice of peace was to appoint some time and place where the marriage ceremony, such as it was, was to be performed. A question had been raised, whether it might not be necessary to substitute the words "reputed justice" for justice; and in point of fact, when the noble lord who held the Great Seal had had as much experience as he (Lord E.) had had—and he trusted that he would hold it as long, and longer than he had done—he would find that cases might frequently arise where, in consequence of certain informalities, it was questionable who was or was not a justice of the peace.

The bans having been published, the justice of the peace was to give a certificate, that the parties had gone through certain forms before him; and upon this certificate the clergyman was to be called upon to register the marriage. Now, he would put it to their lordships, whether a clergyman of the Church of England was not degraded and dishonoured, by being compelled to act as a sort of clerk to a justice of the peace; and whether the lay magistrate of the Church of England was not also dishonoured, by being concerned in such a transaction. Suppose the clergyman—as must frequently be the case—to be himself a justice of the peace; was he to go through the species of marriage ceremony, as a justice of the peace, which he could not possibly perform without a gross violation of his duties as a conscientious clergyman? Was it contended, that the scruples of those Dissenters who denied the divinity of our Saviour were to be respected, because they could not in their consciences allow a clergyman of the Church of England to say to them, at the end of the marriage ceremony, "God bless you, in the name of the Father, the Son, and the Holy Ghost," and that they might then turn round upon the clergyman, and say, "You have published our bans; but you are also a justice of peace; and we choose you, in despite of anything you may urge on the score of your conscience, to perform our marriage ceremony in that capacity?" He was perfectly satisfied that their lordships would not suffer the clergy of the Church of England to be so degraded and dishonoured. Did the act contain any clause which required the observance of what was necessary to be observed, with respect to licenses, and with respect to the Canon law? Was there any clause with reference to felony, without benefit of clergy; he meant the clause which related to forging registers, making false entries, and similar offences? It would be necessary to guard against clandestine marriages; and yet all which this bill did for that purpose was to call upon the parish clergyman to publish the bans. Quakers and Jews were generally married in full assemblies of their connexion and friends; but, by the proposed bill, the greatest door was opened to frauds. A person had nothing to do but to pretend to be a Unitarian, to have his bans published, and then proceed to the private room of any justice of the peace, who would give him his certificate. He might put this certificate in his pocket, if he chose to run the risk of a penalty of 20l., which a justice might reduce to 5l. Nobody could then prove the marriage under the act; because the party was not, in fact, a Unitarian, but had only pretended to be one.—He not only objected to the bill because it was intended to put the Unitarians on the same footing as Quakers, but he would go further and say, that if the House did intend to adopt the principles of the bill, its enactments were not calculated to carry those principles into effect. If the House thought that the bill ought to pass, he still objected to its passing in the present session. It would want so many amendments, so many serious alterations, to make it a bill such as it ought to be, that it would be impossible to get through with it in the present session, and he should feel himself bound to move, that it be read this day three months. He thought it was a material objection to the bill, that it imposed upon men the necessity of giving direct evidence to a fact which they did not know to be true. At present the register of a marriage was taken as evidence in a court of justice, because the marriage act required the clergyman who celebrated the marriage to sign the register. This was making the clergyman certify what he knew to be true. The same principle applied to
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baptism. But, by the present bill, a person might put the marriage certificate in his pocket, and, defying proof, might tell the female that he was not married, and that her children were not legitimate. It was not necessary for him to give any opinion upon the principles of the bill; the only thing to consider was, the necessity of having time to consider how to make the bill upon its own principles, effective. He trusted that their lordships would feel in favour of the old law of the land, and let the present bill stand over till next session. If it were said, that the parties aggrieved by the present law ought not to be allowed to continue so long under the injury they suffered, he would ask, whose fault was that? Year after year, this bill had been proposed to the House—the same objections had been urged against it, and yet its authors continued to press the measure. Those who did press it in its old form were alone to blame if the relief they sought was deferred. As the questions of repeal of the Test and Corporation acts, the Corn-bill, and other measures, were to be postponed till next session, he saw no reason why this bill, also, might not be warehoused and bonded like the rest till next session. When that time would arrive, he would contribute his exertions to make the measure as perfect as possible; but should move at present "that the bill be committed that day three months."

Lord Calthorpe said, he was inclined to think that the great practical grievance was what the church itself laboured under, as long as the law continued in its existing state. With reference to the arguments used by the learned lord about the bill being a measure of partiality to the Unitarians, as a sect distinguished from all other Dissenters, he had overlooked, that no distinction existed between the Unitarians and all other religionists, except, perhaps, the Jews. Upon this ground alone, the Unitarians might not have any claim upon the consideration of parliament; but the public had strong claims that the legislature should relieve the established church of the blasphemy committed by its ministers in being called upon to pronounce, in the most solemn manner, the doctrine of the Trinity, to persons who did not believe in it, and to exact from such persons an assurance of faith which they did not possess. He did not imagine that human ingenuity could conceive a more certain means, in the present state of society, of making the church degrade and pollute itself by mixing profaneness with its most sacred service. He thought the House owed it to the honour and dignity of the church, not to allow the present law to continue another year. The Unitarians were stated by the learned lord, to be asking of parliament what was not granted to Jews or Quakers; but the fact was, that neither of the two latter sects were obliged to submit to the marriage ceremony of the Church of England. The church was, therefore, bound to carry on the imposition with respect to Unitarians; whilst it was relieved from the degrading duty with respect to Jews and Quakers. Was it a proof of the high reverence of the church for the sacred doctrines of the Trinity, which was the vital principle of her faith, that she should call upon her ministers to declare her doctrines, and to oblige individuals to repeat them, who were known not to entertain such tenets? It would be most disadvantageous to the church itself to suffer another session to pass, without putting an end to the existing state of things with respect to Unitarian marriages. No one had a deeper sense than he had of the religious errors of the Unitarians; but, in the practice of the moral precepts of Christianity, he believed, they might bear a comparison with the most orthodox Christians; and, for the sake of the church establishment itself, as well as for their sakes, the grievance of which they complained ought to be redressed.

Lord Farnham said, he was ready to grant as much relief to the Unitarians as was consistent with the interests of the established religion; but their lordships should proceed in this measure with caution, as it was, he believed, the first attempt made to divest marriage of the solemnities of religion. The relief which he was inclined to give to the Unitarians would be to allow them to be married by clergymen of their own persuasion. To the present bill, however, he had that objection, which must be made to all bills on important subjects introduced in the last week of the session, that it could not at that period be hurried into a law, without containing many defects.

The Lord Chancellor observed, that it was with considerable diffidence he addressed the House, after the very able
speech of his noble and learned friend. But he was apprehensive that it might be thought that he did not do his duty, if he remained wholly silent. But, if he understood his noble and learned friend correctly, his objections applied, not to the principle, but to the clauses, of the bill; and they were now considering the principle. He hoped, therefore, that their lordships would allow the bill to go into the committee, and then, if in considering the bill clause by clause, the objections should appear to be insuperable, he would subscribe to the course proposed by his noble and learned friend, and agree to the postponement of the measure till next session. But their lordships ought not, in his opinion, to abandon the bill in its present stage. If he thought that the measure would degrade the clergy, or injure the church establishment, he would be zealous against it; but when a right rev. prelate, who had been alluded to, had said that he was not averse to the principle of the bill, he could not think that it was in the slightest degree calculated either to degrade the clergy or injure the church. With their lordships' permission, he would advert briefly to the history of the law of marriage. Throughout the whole of Christendom there was no religious ceremony connected with marriage, till the time of the Council of Trent; and still, in the countries which did not acknowledge the authority of that Council, no religious ceremony was essential to marriage, and none was essential in this country, till the passing of the Marriage Act. He stated this not merely on his own authority, but on the authority of a most eminent judge; he meant lord Holt, who had held, in two cases, that a marriage might be constituted without any religious ceremony. He might refer to another noble and learned lord (Stowell) who was a light and an ornament to that House, and whose profound erudition was graced by his elegant and classical taste. That noble and learned lord had proceeded on the ground which he had stated in his judgment in the case of Dalrymple and Dalrymple; in which he had set out the authorities, and mentioned the case of lord Fitzmaurice in 1730, where a marriage per verba de presentis was held to be valid, without any religious sanction; so that the parties could not by their own consent render it of no effect. Such was the law here before the Marriage Act, which, as judge Blackstone had said, had so far altered the law of England. If the noble and learned lord (Stowell) to whom he alluded, had thought that this bill had any tendency to degrade the clergy, or injure the church, he would have been here to oppose it, and his absence was an argument that he was not adverse to the measure. The Quakers had been excepted from the operation of the Marriage Act; and their marriages stood on the same footing as marriages did before the passing of that act; and if the Unitarians had then existed in the same way as they now existed, would they not also have been excepted? The principle of the exception was, that this was a matter of conscience, and that to force the Quakers to go through the ceremony as appointed by the act, would be a profanation of the rites of the Church of England; and, upon the same principle, the Unitarians should be excepted. A right rev. prelate had said, that it was a solemn mockery, or something to that effect, to make the Unitarians perform the marriage ceremony according to the rites of the church of England; and would they not then have been excepted from the Marriage Act, if they had existed in a legal form as they did now? They had not, at the time of passing the Marriage Act, a legal existence; since, by a statute of king William, they were subjected to penalties; and, in nine years after, additional penalties were enacted against them; and thus matters stood with respect to them at the passing of the Marriage Act, and they were not exempted, as they were marked out by law as objects of punishment. But in the 19th of the late king, the laws against them had been repealed to a certain extent, and in 1813, they were entirely exempted from the penalties. They ought now, therefore, to have the benefit of exemption from the Marriage Act; since that would be quite in the spirit of that act. As to the principles of this sect, it was said that they were christians, believing in the New Testament, but not drawing the same conclusions as we do from a part of the New Testament. They did not object to the ceremony of baptism, in the name of the Father, the Son, and the Holy Ghost; nor did they object to these words in the marriage ceremony: but they did object to the blessing — in the name of God the Father, God the Son, and God the Holy Ghost. That with them was no trifling objection, but one which went to the very essence of
their faith. It was the point on which their faith turned. It had been said, that they were not called upon to repeat these words; but then they were present when they were pronounced, and were supposed to assent to them, and they could not protest against them, without being guilty of an infraction of the law. This solemn mockery ought to be got rid of, for the sake both of Dissenters and of the church.

Now, he thought the bill could properly be defended upon the principle of a law now in existence, he meant the Marriage Act. Since the year 1813, when, by act of parliament, the Dissenters became a tolerated body, and were exempted from penalties to which they had before been liable, they might be considered as forming a new class in the country. He was of opinion that their lordships were bound to follow up the principle of that bill, which they might now do in a very necessary and important point, by going into a committee upon the bill under consideration. It was supposed that the publication of bans, required by this act, would be offensive to the clergy of the established church. He really did not conceive in what manner they could be offended by it, especially when it was recollected that, by the present practice of the church, notices of all sorts, even of the most trifling descriptions, were regularly promulgated during the intervals of divine service. What was it that could offend the clergy in the publication of the bans of marriage between persons so respectable as were the members of this class of Dissenters? Was it possible for their lordships to say that a class, some of the members of which were legislators, were so little respectable, that the publication of their bans of marriage would degrade the clergyman who made the publication? Again, his noble and learned friend had complained of the clause in this act which required the entry in the registry of the marriage. Now, it seemed to him that the duty thus imposed upon the clergyman was one in which the whole country was interested. It was not a matter that regarded individuals alone, it was, in fact, a public duty. Was it not, he would ask, a matter of public convenience, that all the registers of marriage should be kept in one place, in order that all questions of legitimacy might be easily determined? Were not all parties interested in the decisions of such matters, even in a pecuniary point of view? Was it no advantage to the country to secure the means of a quick and necessary method of settling those disputes? He felt the force of the objection made by the noble and learned lord to that part of the bill which related to the marriage before the justice of the peace. He knew that that objection, and others of a similar kind, originated in no party feeling, but were the result of an accurate consideration of the bill. Still, he thought, that they ought not to hesitate to give their sanction to its principle, leaving its details for discussion in the committee. When it had arrived at that stage, he should certainly use his utmost endeavours to get rid of the difficulties which had now been presented to their lordships; and, if those difficulties were found to be such as could not be disposed of in the present session, he would agree to give up the bill for a time, satisfied with having established the principle of the measure. If the principle of the bill was once established, he thought there would be no difficulty in mastering its details. If he, was right in what he had stated, he saw no reason why the bill should not be committed. It seemed to him, that the respectable body of Dissenters to which he had alluded were entitled to this promise of relief; and indeed that not only they, but the members of the establishment, might claim it at the hands of the legislature; for it would be a relief almost as much to the church as to the Dissenters.

The Earl of Eldon, in explanation, said, that his noble relative, lord Stowell, was disabled by illness from attending the discussion. Inadvertence alone had prevented his noble relative from attending by proxy against the measure; so strong was his aversion to the bill. The Bishop of Chester said, he felt himself bound to offer a few words in support of the bill, in conformity with the pledge he had given. He agreed with the learned Earl opposite, that some alterations were necessary; but he thought with the learned lord on the woolsack, that those alterations could be easily made in the committee. He would not go at length into the details of the bill; but he thought their lordships would do wisely to acknowledge its principle, by which they would give satisfaction to a numerous body of Dissenters, by shewing them that the legislature was ready to afford them all the assistance compatible with the integrity of the church,
and with the safety of the constitution. The marriage ceremony was the only portion of the service of the Church of England to which it was compulsory on every person to conform. In some cases, it was not only the wish of persons to marry, but, in a political sense, marriage might be called a duty. Now, by the law as it at present stood, no Dissenter from the church, except the Quakers, could enter into the marriage state, without appearing to agree to doctrines from which they strongly dissented. The main part—almost the essence of marriage—consisted in the consent of the parties; but the state properly claimed some power in the regulation of that important ceremony. There were two points on which the state grounded its right of interference; first, as it regarded public good in the preservation of the means of ascertaining the legitimacy of children, in order to determine the titles to property; and secondly, to assist in preserving public morals, by giving a greater degree of solemnity to the act. With the first of these the church had nothing to do; and with respect to the second, he could not avoid expressing his serious doubts whether the solemnity of the ceremony was increased when two persons were compelled to do that which seemed to amount to an acquiescence in doctrines from which they really dissented. He agreed, that marriage was a contract which ought to be considered as sacred; but he feared that it did not gain much in sacredness of character, by the laws now regulating the practice of the Church of England. Although he was convinced that matrimony was, in the language of the church, a holy state not to be entered into without the observance of religious forms and ceremonies, yet he could not forget, that in the 25th article of the church, it was stated, that there were "not any visible signs or ceremonies ordained of God." He thought, therefore, they were not bound to compel the Dissenters, in contracting marriages with each other, to perform religious ceremonies to which they so strongly objected. With respect to the publication of bans, he thought that part of the objections raised to the bill had been sufficiently answered by the learned lord on the woolsack; but, if he might add any thing to that answer, he would say, that the clergyman was only required to perform a public duty in notifying the existence of a magistrate's certificate, which was required by the law of the state for the purposes of the state.

Their lordships divided: For going into a committee 61; Against it 54; Majority 7.—The bill went through the committee.

HOUSE OF LORDS.

Friday, June 29.

FREE PEOPLE OF COLOUR.] The Earl of Harrowby rose for the purpose of presenting a petition from the Free People of Colour in Jamaica. If this petition proceeded from that class of persons which generally addressed their lordships, calling their attention to the common topics to which it had been usually directed, he should not think it necessary to say a single word on the subject of the petition, and would leave it to speak for itself. But, in presenting this petition from a class of persons who had never before appeared before their lordships, and with the peculiar circumstances of whose situation he believed many of their lordships were unacquainted, he should feel it necessary to request their indulgence while he stated the present situation of the petitioners, and the nature of that which they desired. The petitioners were entitled to the attention of their lordships on account of their number, their wealth, and their good conduct; and the petition itself was entitled to attention, from the temperate terms in which the petitioners described the grievances they laboured under, and the moderate nature of the requests which it contained. These persons were the offspring, in different degrees of remoteness, of the black and the white population. It appeared from Mr. Edwards, that, at the time he wrote his History of the West Indies, the population consisted of 30,000 white people, 240,000 slaves, and 10,000 free people of colour. What was the state of the population at present? The number of whites from 50,000 had diminished to 25,000; the number of free people of colour was 30,000—10,000 of whom were blacks; and the number of the slaves from 240,000 had increased to 320,000. The petitioners were, therefore, as far as number was concerned, sufficiently numerous to attract attention. A population of 30,000 complaining of one common grievance, deserved to have that grievance considered. They were persons, however, who had been under a singular state of degradation from not being allowed to in-
hers, and from various other oppressive laws; but, in consequence of a relaxation of those laws, their property was now not less than 3,000,000l. The fortunes of four persons, he understood, amounted together to 700,000l. The class was in possession of the whole of the pimento plantations, and were masters of 50,000 slaves. With respect to wealth, they were, therefore, entitled to consideration. Their conduct was spoken of in the highest terms by Mr. Edwards, who wrote his History in 1793. Subsequently to that period, their conduct in very difficult circumstances—in the Maroon war, for instance—was eminently loyal; and it procured, at different times, some important relaxations of the severity of the laws against them. They had subsequently received the public thanks of the Assembly for their loyalty; and he need say no more, than that of the militia, of 10,000 persons, one half was composed of free persons of colour. There could not, therefore, be any distrust of their loyalty.—He now thought it necessary to state for what those persons petitioned, and what it was that they wanted. There were different wants that applied to different classes. The wealthy wanted the possibility of attaining that degree of consideration to which wealth and talents were, in other parts of the world, entitled. These people were not eligible to serve in parish vestries, or in the General Assembly: they could not act in any office of public trust, not even in the subordinate situation of constable; though agricultural labourers, employed upon their own property, could fill that situation. They could not hold commissions in the black and mulatto regiments; and they were further disqualified from serving as jurors. In the militia, when disabled, they had only one third of the provision that was allowed to the whites. With respect to schools, if not absolutely excluded, obstacles were thrown in the way of their admission. When relieved by poor-rates, they only got one half the allowance given to whites. In church, where one would suppose all distinctions would be laid aside, with respect to seats, there was a complete line of separation. For the last fifty years, between forty and fifty whites had been executed, while only four persons of colour had suffered. The degradation to which the petitioners were subjected, was the result of that odious state of slavery, which not only corrupted every thing it touched with its plague-spots, but tainted every thing within its atmosphere. But he might be asked, for what purpose he brought forward this petition? Did he mean to propose any measure? At that period of the session, he knew it was impossible for any measure to be introduced; but he wished to be understood as stating, that, from the extreme difficulty and complicated nature of the subject, if ever it should be taken up by parliament, with a view to a measure of relief, its introduction must be committed to the hands of an individual of far more ability than he could pretend to. He was satisfied, from the respectful nature and moderate terms of the petition, that its prayer must, one time or other, be granted. It was something for the petitioners to know, that the individuals of that unfortunate and degraded race were considered, by the peers of Great Britain, as their brethren.

Lord Ellenborough supported the prayer of the petition, though he understood that the lower class of the petitioners were not in a situation to enjoy the civil rights they prayed for.

Lord Seaforth supported the petition, and bore testimony to the respectability and good conduct of the petitioners. Still he thought it would not be wise to interfere with the subject at present. It was a case of great difficulty, for which there was no parallel in the history of the world. The noble lord, after taking a review of the different measures which, at various times, had relieved the petitioners from several of the disabilities under which they laboured, concluded by stating, that the colonial legislature were now more favourably disposed to them, and he was therefore anxious that the question should be left in its hands, lest the agitation of it should produce a re-action.

Lord Calithorp was not disposed to place the same confidence in the local legislature that his noble friend did. He thought it incumbent on their lordships to attend to the prayer of the petition.

Ordered to lie on the table.

Dissenters' Marriages Bill.] The Marquis of Lansdowne moved that the report of this bill be brought up.

Lord Tenterden suggested the introduction of some verbal amendments; which, after a desultory conversation, were agreed to.

The Marquis of Lansdown moved, that
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the bill be read a third time that day fortnight.

The Bishop of Chester said, he had been assured, that the clergy of the church of England had no objection to the principle of the bill. They were quite willing to publish the bans and to register the marriages when the certificates were sent to them, provided they were exempted (as this bill would exempt them), from the painful duty of assisting personally at the performance of the ceremony.

The bill was then, pro forma, ordered to be read a third time this day fortnight. It consequently stands over till next session.

HOUSE OF COMMONS.

Friday, June 29.

CAPE OF GOOD HOPE—CONDUCT OF LORD CHARLES SOMERSET.] Mr. Wil-\n\nmot Horton presented certain papers relative to the Cape of Good Hope, pursuant to the order of the House.

Lord E. Somerset immediately proceeded to address the Chair; but the place from which he spoke, being directly under the gallery, rendered it impossible to collect his observations. The first sentence of his lordship’s speech which reached our ears related to a Letter concerning certain proceedings that had taken place at the Cape which had been recently published, and which reflected on the conduct of Parliament. He did not rise to propose that the author of that letter should be called to the bar of the House for a breach of its privileges; but he adverted to it, for the purpose of showing the invariable system of misrepresentation which existed with respect to subjects connected with the Cape of Good Hope. His noble relation had, for a considerable time, been subject to the grossest abuse, which was circulated not only through the public papers, but through every channel that could be employed for that purpose. Two years had now elapsed since the petition of Mr. Bishop Burnett had been presented to the House. That petition contained charges against the conduct of his noble relation, of so serious a character, that he deemed it necessary to come to England for the purpose of meeting his accusers, and of justifying himself in the face of his country. A voluminous report had been made by the commissioners appointed to inquire into the proceedings at the Cape; and, with respect to the nature of that report, he begged leave to refer to the declaration lately made by the hon. and learned gentleman (Mr. Brougham), who had presented the petition of Mr. Bishop Burnett to the House. That hon. and learned gentleman had stated, that the report of the commissioners was generally satisfactory to him. The hon. and learned gentleman had, on a former occasion, alluded particularly to one part of the petition, which he had very properly described as containing a charge of a most serious nature. He would now ask the hon. and learned gentleman, whether, since he had made that observation, he had not been induced to conclude, from the best information, that the charge was groundless? He felt the most decided conviction, that his noble relation would be able to refute, not only satisfactorily, but triumphantly, every accusation which had been brought against him. Amongst other publications, a letter, proceeding from an officer of rank (Sir Rufane Donkin) had been sent forth, which contained calumnies with respect to the warrants issued for the pay of the salaries in the colonial department. He did not hesitate to say, that those statements were capable of the most complete refutation. This was not the proper time to go into the whole case; but when the particular charges were specifically brought under consideration, the most ample refutation would be given to them. His noble relation had come on purpose to this country to repel those charges, and he had always been ready and anxious to meet them. The hon. member for Arundel (Mr. Lombe) not now in his place, had given notice, before the Easter recess, of his intention of bringing this subject forward; and he thought the House must regret that the hon. member had abandoned his post, without giving any opinion on the question, or bringing it forward in any way whatever. The course which the hon. gentleman had thought proper to adopt was not that of an individual who really wished to have the question set at rest. After the anxiety which his noble relation had manifested to have the subject thoroughly discussed, and after the abandonment of the motion of which the hon. gentleman had given notice, he conceived that his noble relation had a right to consider himself as freed from all imputation. His noble relation had tendered his resignation; but,
in taking that course, he was not actuated by any fear of consequences; he was not induced to do so by any dread that his character would suffer from inquiry. On the contrary, he was convinced, that the more his conduct was inquired into, the more it would be proved to deserve praise. The proceedings which had been adopted against him were the acts of individuals, who had conspired together to effect their own private objects. He begged pardon of the House for having taken up so much of their time; but he was sure gentlemen would excuse him, when they recollected the delicacy of his situation. In conclusion, the noble lord called on his right hon. friend (Mr. W. Horton) to state the opinion which his majesty's government entertained with respect to the proffered resignation of his noble relative.

Mr. Maberly deprecated an incidental discussion of this sort. He begged, however, to state, that the gallant officer to whom allusion had been made, was ready to come forward and to prove every one of his assertions, whenever his majesty's government thought it necessary to have the statements made by him inquired into. It was unfair to assert, that the gallant officer had published a series of calumnies, when he was anxious to come forward and substantiate his statements. When such was the true state of the case, he was not ready to join in an acquittal of the noble lord whose conduct had been impugned. There was, in his opinion, much to be inquired into. It was the imperative duty of parliament to investigate closely and narrowly the charges that had been made. He denied, in the most decided manner, that they were calumnies which his gallant friend had sent forth. He had nothing to do with the motives which had induced the hon. member for Arundel to let the motion, of which he had given notice, drop. It was a question of a most serious nature; and he did not think it was just towards the noble lord for the hon. member to have abandoned the motion.

Mr. Brougham said, he could only observe on this occasion, as he had had the satisfaction to observe on a former one, that nothing could be more proper than the spirit, the temper, and the amiable feeling, which had been manifested by the noble lord, whenever the painful charges against his noble relative had been alluded to. It was certainly true, as the noble lord had stated, that he was the person who presented the petition of Mr. Bishop Burnett two years ago; and it was equally true, that he then observed, that, while the several charges were more or less important, there was one of them so infinitely more serious than the others, that it called for the most pointed attention. It was no less than a charge of direct judicial corruption against the noble lord, in his capacity of Judge of Appeals at the Cape of Good Hope; for taking, in an indirect way, a sum of money, to give a particular decision on a question which was to come before him in his judicial character. This, he had stated, was a far more gross charge than any of the others; and he had further declared, that if he believed it to be well-founded, he should himself feel it to be his duty to impeach that noble lord, on the ground, the incontestable ground, which never had been denied to all the Commons of England, and which gave to each member of that House, without the concurrence of the House—without even the formality of a seconder to his motion—the right to impeach individuals filling important situations in the state, of high crimes and misdemeanors. He admitted that the noble lord had an equal right, after the lapse of two years—after abundant time had been afforded for inquiring into this charge—to ask him, whether or not he had made such an inquiry; and, if he had, to declare what the result had been, according to the best of his judgment. That was all the noble lord required; and he willingly conceded that which the noble lord had a right to ask. He was bound to state his opinion—the House had a right to expect it—but above all, it was due to the near relation of the noble lord, whose character and honour, not merely as an officer in the public service, but as a man and a gentleman, were deeply affected by this charge. He felt himself bound, therefore, to answer the call of the noble lord. He believed he had stated, on a former occasion, why he abstained, at that time, from bringing forward any proposition on this subject. When he introduced the petition of Mr. Bishop Burnett, he could no more vouch for the facts which it contained, than any gentleman who presented an ordinary petition could do. He had, however, taken the precaution to ask Mr. Bishop Burnett certain questions on the subject; and he consistently and satisfactorily answered those questions. He
(Mr. Brougham) soon afterwards found himself professionally retained, for or against (he did not know which) one of those parties whose case had been before lord C. Somerset at the Cape. In what he was now about to say, as to the acquittal of lord C. Somerset on this particular charge, he wished to state, that his opinion rested, not on argument or inference, but on dates. It appeared that a person at the Cape, named Sewell, having an appeal case pending, which was to be decided by lord C. Somerset, was told, in an indirect way, that he had better buy a horse from the governor. He said "I don't want one." Oh," said his adviser, "You had better buy the animal." It was alleged, that the horse was, in the end, bought for 10,000 dollars; which at the rate of 5s. the dollar, would amount to between 5,000l. and 6,000l. It was further stated, that lord C. Somerset took the money, and kept the horse in his stable. It was a blood horse—a stallion, and lord C. Somerset was accused of having kept the animal till he died, after he had received the money. The purchaser did not, it was said, get the horse; but he got what was more valuable—his cause. Such was the matter of imputation. Now, in the first place, as to the horse having been purchased for 10,000 dollars, it should be observed, that the value of the dollar at the Cape was 1s. 6d., instead of 5s., and that at that rate the price would be only upwards of 700l. which, according to report, was considerably under the price at which a horse of that kind could be exported from England. This made him look further into the circumstances stated in the petition. He then found, that lord C. Somerset had sold the horse for the season, and had given it up for that period. Afterwards, according to the bargain, he took it back; it being a condition that he should provide for it during the other eight months of the year. Lord C. Somerset gave this individual another horse, and advanced him 100l. in money, to enable him to go on with a certain speculation in which he was engaged. This bargain, whatever it might be, was made on the 1st of September, and the sentence was given by lord C. Somerset on the 30th of May preceding. But, what was of still greater importance, that sentence was given against the purchaser of the horse, and not in favour of him [hear, hear]. He had thus perfectly satisfied his mind, that there was no necessity for him to exercise his individual prerogative, as a member of that House, by proceeding to an impeachment; nor was there any reason for him to call on the House to go up with an impeachment against the noble lord, when the circumstances of the case were of the nature he had described. When he found the charge so utterly groundless, he, as a matter of course, abandoned the proceeding which he had at first contemplated. He should have stated this before, but it was not until lately that he had an opportunity of verifying the dates; for he saw something so gross in the difference between the dates and the statement contained in the petition, that he thought some error was lurking below, and therefore he was anxious to investigate the charge thoroughly. He had, however, seen documents which convinced him, that for this charge at least there was not a shadow of foundation. The noble lord, however, could hardly expect him to go so far as this—that because one charge against lord C. Somerset had been found to be manifestly, he might almost say, ludicrously, groundless, he was therefore to assume, that all other charges, and amongst others those preferred by a gallant officer, were equally destitute of foundation. All that he meant to say was this—that so often as a very gross and heinous charge was brought against any one, he should in public or in private life—be he of high or of low character in the country—he was ready to do that person what he considered but bare justice; namely, when such charge so preferred had signally failed, to incline to view his case quoad cetera—as to any other charges not yet inquired into—with more favour, than on general principles he would be disposed to shew. He must join with those who thought it hard that charges should be allowed to hang suspended over a public officer; and he sincerely wished, for the sake of public justice, that some one who had time to devote to the object would at once bring them forward. Though he could not agree with the noble lord (E. Somerset) that sir R. Donkin was a calumniator; and, though he could not acquit lord C. Somerset from every charge because one had proved to be groundless, yet he was of opinion, that nothing could be more unjust than to wait till the end of two years; and then to say, that sir R. Donkin was ready to bring forward his charges.
The only way to settle the question was by a motion in that House. Sir R. Donkin, had no opportunity of bringing the case forward. He could do nothing more than state his charges in the form of a pamphlet, which might lead to proceedings in a court of law; but that would only lead to a clumsy and unsatisfactory decision of the question. Until the subject should be fairly brought before parliament, they were bound in common justice to the noble lord accused, to suspend any rash construction as to what might be stated against him. Nothing at present was proved against the noble lord. The inquiries of the commissioners were satisfactory as to the minor charges, and the grave charge was disproved by dates. If sir R. Donkin, he was ready to accuse lord C. Somerset, he was ready to listen to his accusation. That was all he could, consistently with his duties as a member of parliament, concede. He had not read the pamphlet published by sir R. Donkin, because, having no opportunity of inquiring into the truth of the charges which it must be supposed to contain, he thought it his duty to abstain from reading it. Before he sat down he wished to allude to a circumstance connected with the administration of justice at the Cape of Good Hope and other colonies. Some little doubt and alarm had lately prevailed amongst English barristers, owing to the circumstance of the government sending out to some of the colonies, and the Cape amongst others, persons as judges who were not English lawyers. He must protest against such a practice, except under very extraordinary circumstances indeed. It was not safe to send out as judges, even to places where the civil law was administered, any persons not practised in the English law, or not habituated to trial by jury and the English law of evidence. It was impossible that any person educated at the Scotch bar could obtain a competent knowledge of the civil law. He knew well that a knowledge of the civil law did not exist at the Scottish bar. It was proved, at the late trial at Lancaster, that the examinations in the civil law at the Scotch bar were a mere farce. The way in which the thing was done was this: a young man went on the night before the day appointed for examination, and asked in what page he was to be questioned. If government would send out persons imbued with English law principles, and with a knowledge of trial by jury, and the English law of evidence, they would have better judges than they could hope to obtain by sending out individuals conversant with civil law only. But then if they would have civil lawyers, let them take them from Doctors Commons, and not go to Scotland for them. To look for any knowledge of civil law there, was quite absurd.

Mr. Wilmot Horton observed, in reference to what had fallen from his hon. and learned friend, that government had not lost sight of the principle of sending out persons to administer the law in the colonies, who were thoroughly imbued with the principles of English law. On a recent occasion, two of the judges sent out came precisely within the description of those persons whom his hon. and learned friend was desirous of seeing placed in such situations; but it was at the time thought necessary, and, indeed, it was recommended by the highest authorities in this country, to send out a gentleman acquainted with the practice of the civil law; it being likely that questions might arise, in which his knowledge of that branch of jurisprudence would be of the greatest utility. Now, with respect to the question immediately before them, the House must be aware, that the case of the noble lord had now been before it for two years; that paper after paper had been laid upon the table; and that extreme expense had been incurred by retaining commissioners at the Cape, to sift into the charges preferred against the noble lord. It must also be in the recollection of the House, that the hon. member for Arundel, after pledging himself to bring forward a specific accusation, had, for reasons with which he was utterly unacquainted, abandoned that intention. The House, likewise, would not forget, that on two separate occasions he had appealed to the hon. member for Arundel on the principles of justice and courtesy, to inform him what were the charges which he intended to prefer against lord C. Somerset, in order that the noble lord might be prepared to defend himself; and that he (Mr. W. Horton) might be enabled to collect the information which might be necessary for that purpose. The session had now approached its termination, and the hon. member for Arundel had neither brought his charges forward, nor communicated the nature of them. Without implying that
the free will of any member of that House should be fettered, or that he should not be at liberty to make or refuse to make a motion as he pleased, he must contend, that it was unjust that a charge should longer be allowed to hang over the noble lord. In all the charges which had been brought against lord C. Somerset, he had been accused of corruption, of tyranny, and of every thing which was disgraceful to a man in his situation. If any person took the pains to read the petitions which had been presented, they would be found to contain accusations of that description. The parties making those accusations had not ventured to follow them up by proof; and therefore it was but fair to consider the noble lord acquitted with respect to them. Having been called upon by the noble lord to state what was the opinion entertained by government with respect to the case of his noble relative, he could declare that the noble secretary for the colonies saw no reason to consider any one of the charges preferred against him as in the slightest degree substantiated, which affected his character as a man of honour and a gentleman. He did not think it necessary to go into further detail at that moment, and would therefore conclude with declaring, that in his opinion the House must, when they considered the many opportunities which had been presented of making out a case against lord C. Somerset, and the manner in which those opportunities had been neglected, be convinced of the impropriety of suffering charges to hang any longer over the noble lord.

Mr. Hume said, that having been one of those who had presented to the House petitions impugning the government and conduct of the noble lord (Somerset), he felt called upon to defend the petitioners against the imputations cast upon them. So far from these petitions having been the work of combination or conspiracy, no set of persons in the colony were more detached from or independent of each other, than the different bodies from whom these petitions had emanated. Each had separate and serious complaints. For his part, he regretted as much as any man that no inquiry had taken place. It ought to be recollected, that the report of the commissioners had only been laid before the House during the present session. His opinion was, that it was the bounden duty of government to institute an inquiry on the subject the first thing in the next session.

Mr. F. Palmer said, he understood that sir R. Donkin had stated to the head of the colonial department, that he had a charge to make against lord C. Somerset, and that lord Bathurst declined to entertain it. He had himself seen a letter, signed by the right hon. secretary, telling sir R. Donkin that lord Bathurst did not wish him to bring forward his charge. That fact ought to be set at rest. He spoke in the presence of the right hon. secretary, who could contradict him if he stated that which was incorrect. As the character of sir R. Donkin was, in some degree, affected by what had passed, it might not be immaterial to put the House in possession of the fact, that he had filled the office of governor of the Cape for two years all but five days, in such a manner as to obtain for him the thanks of his majesty, of every public department at the Cape, and of the inhabitants of the Cape generally. Those marks of approbation were bestowed upon sir R. Donkin not at a time when he was in power, but when he was out of office, and had left the colony. Whilst sir R. Donkin acted as governor he effected some extensive improvements. Amongst other things, he reduced the expenditure to the extent of half a million. When he left office, the expenditure was 300,000 rix-dollars; and in 1823 it was augmented to 1,300,000. He could not consent to give a general verdict of acquittal in behalf of lord C. Somerset, because one charge had proved to be without foundation. He had hitherto seen only one report from the commissioners; but he understood there were nine. Was he to suppose that because the first report contained heavy matter against the noble lord, the remaining eight would acquit him of all blame? It was indispensably necessary that the whole case should be fully inquired into. One thing was clear; namely, that the inhabitants of the Cape and the people of England would not acquit his lordship, until an investigation had taken place. He would say one word in the way of apology for the hon. member who had not brought forward a motion, in reference to this subject, of which he had given notice. It had been stated from good authority, that so long as there was a prospect of lord C. Somerset's return to the Cape, the inhabitants of the colony would be afraid to come forward to substantiate any charge.
against him, but would rather submit to
the evils they endured, than provoke his
lordship’s further severity, by appearing as
witnesses against him. That appeared to
him a sufficient reason why the hon. member
alluded to had not proceeded with his
motion. He would conclude by asking
the right hon. secretary whether he in-
tended to lay the further reports of the
commissioners on the table?

Mr. W. Horton felt it necessary, in
consequence of what had fallen from the
hon. member, to repeat what he had said
on a former evening. Sir R. Donkin
stated in the first instance, that he could
make disclosures which would cover lord
C. Somerset with ruin. That declaration
was very naturally construed into a charge
by Lord Bathurst; and he thought the
House would be of opinion, that when one
public man spoke in such terms of another,
 it was not forcing the meaning of the
English language to put that construc-
tion upon them. Sir R. Donkin,
however, disclaimed the intention of
bringing forward a charge against the
noble lord. He said, he meant nothing
of the kind. That being the case, lord
Bathurst told him finally, that as he did
not mean to bring forward any charge, the
colonial department would not call upon
him for any further information, because
they had other means of arriving at a
knowledge of the facts of the case. He
left it to the House to decide whether sir
R. Donkin had not retracted his charge.
With respect to putting the House in
possession of all the reports of the com-
missioners, he must say that he could
undertake to do no such thing. Many of
the reports would refer to local points
wholly unconnected with the subject
under discussion. If it should appear
proper to lay any of the future reports
upon the table of the House, he would do
so; but he would not pledge himself to
any precise course. It was sufficient that
government acted on their responsibility,
and would be prepared to defend them-
selves when called upon.

Mr. Baring said, he could not conceive
a graver responsibility than that incurred
by any hon. gentleman who put his name
upon the order book of the House to bring
forward a serious charge against an indi-
vidual, and who afterwards left it un-
completed, as had been done by the hon.
member for Arundel in the present case.
No doubt that hon. member might have

weighty reasons for the course he had
pursued; but he thought that the hon.
member was bound, as well from courtesy
to the House, as in justice to the noble
lord who was most materially concerned,
to state the grounds of his proceeding. For
his own part, he gave the noble lord an
entire and unqualified acquittal, so far as
related to those charges which affected his
private character as a gentleman and a
man of honour. He felt bound to acquit
the noble lord of the gross charges of
personal corruption which had been
brought against him; but he could not
help considering his government a mis-
fortune to the Cape.

Lord F. L. Gower said, that after so
long a time, and such ample opportunities
had been suffered to pass by, the noble
lord had a right to be absolved from all
personal charges which had been made
against him and abandoned. His intimate
conviction was, that all such charges were
utterly groundless. He would be the last
man to stand in the way of what might be
conceived to be improvements in the
government of the colony, but there were
questions upon which every gentleman
and man of honour had a right to consti-
tute himself a judge; and on these points
he was satisfied that there was no ground
for imputation against lord C. Somerset.

Ordered to lie on the table.

**East Retford Disfranchisement Bill—Petition from Birmingham.**

Mr. Lawley presented the following peti-
tion, signed by three thousand inhabitants
of the town of Birmingham:

"The humble Petition of the Inhabitants
of the Town of Birmingham, in the
county of Warwick, being Rate Pay-
ers of the said town,

"Sheweth:—That your Petitioners have
observed with grateful satisfaction the
introduction into your Honourable House
of a Bill for enabling the town of Birming-
ham to return Representatives to Parlia-
ment.

"That your Petitioners conceive such
extension of Representation in Parliament
will be of great advantage to the populous
and increasing town of Birmingham, and
cannot fail to be beneficial to the extensive
manufacturing interests with which it is
connected.

"That it appears to your Petitioners
that such Representation is especially
desirable, not only on account of the great
and increasing population of the town, and of its important manufacturing and commercial interests, but also on account of the various and complex character of its manufactures, all worked up by human labour from the native products of this country, and rendering it peculiarly important, that Representatives, possessing local knowledge, should make known the interests of the town to the Legislature of the country.

"That your Petitioners rely on the wisdom of Parliament for a due regulation of the Elective Franchise for the town of Birminghan, with adequate securities against the tumult, delay, and expense occasionally attendant upon protracted elections in populous towns.

"Your Petitioners do therefore humbly pray that the said Bill may pass into a law, with such modifications and regulations as to the wisdom of your Honourable House may seem expedient. And your Petitioners will ever pray."

Mr. Littleton said, it was not Birmingham only that was interested, but the neighbouring towns which engaged in manufacture. The population in that neighbourhood was exceedingly numerous, and possessed strong claims to have the elective franchise conferred on them.

Mr. Tennyson said, that those great manufacturing towns were by no means indifferent to the right of returning representatives. In order to show this feeling in a strong light, he wished to have the petition read at length. It was his intention, at the commencement of next session, to move the renewal of that bill which had been read a second time in that House.

Ordered to lie on the table. Mr. Tennyson afterwards moved, "That this House will not order any warrant to be issued for a new writ for electing Burgesses to serve in parliament for the Borough of East Retford, until the expiration of the next session of parliament." The motion was agreed to.

CASE OF MR. GOURLAY.] Mr. Hume said, he had to present a petition from an individual from whom he had frequently presented petitions before; he meant Mr. Robert Gourlay, now a prisoner in Cold-Bath-fields prison. The hon. gentleman then re-stated the case of this individual, and said, he considered it a very hard one. Mr. Gourlay had been in prison three years on the charge of an accuser whom he did not know. He had been accused of madness, and he only wanted an opportunity of having that question put to the test, by means of a commission.

Mr. Brougham said, that what had fallen from his hon. friend made it necessary that he should trouble the House with a few words respecting an individual whom he always thought to be mad, and whom he believed now more than ever, after hearing this petition, to labour under insanity. There never could be a doubt as to who was Mr. Gourlay's accuser. His accuser was the Home Department—the department of the Police.

Mr. Hume.—Mr. Peel has denied this.

Mr. Brougham.—Well, then, the police themselves must have been his accusers. At all events, the assertion that he was the person who had charged Mr. Gourlay at the Police-office was utterly groundless, absolutely and altogether false. So little ground was there for such a representation, that when he was sent for, to go and appear against this poor man, he had refused to have any thing to do with him. But, whether interference could fairly be charged upon him was quite of another description. He had applied to Mr. Maule, the solicitor to the Treasury, who informed him that this poor man could receive his own enlargement upon offering the slightest amount of surety. This was all that was necessary—this was what the magistrates must require—this was what would be exacted from any one of the fourteen million of subjects of these realms, if he committed, or—as was the case in this instance—if he attempted to commit, a breach of the peace; for the poor man really did no more than shake his cane or whip, or whatever it was he held in his hand, over his (Mr. B's.) head in the lobby. A person so trespassing could not, in fact, be let off by a magistrate without surety. The law was peremptory, and the magistrate would violate his duty, who let a man off so circumstanced, without the necessary amount of security. But it was a mistake to suppose that Mr. Gourlay was charged publicly with madness. That he laboured under mental derangement he firmly believed, not only from what he knew of Mr. Gourlay himself, but from the opinion of two physicians, the most experienced in cases of lunacy of any in London, one of whom was sir George Tuthill. He had even asked Mr. Gourlay's counsel what he thought of him, and that gentleman had
decidedly told him that it would not be safe to leave him at liberty for five minutes. The poor man had uttered terrible threats against the judge; and it was proved that a pistol was purchased. Indeed, there could not be the slightest doubt in the mind of any one of the derangement of this person—at least that was his impression ever since the day when the poor man attacked him in the lobby, shaking his cane or whip, or whatever it was, over his hat, and exclaiming, "Let the dead bury their dead! Is not a living man better than a dead missionary?" And this had evident reference to the case of Mr. Smith, the missionary, which excited a memorable debate in that House. This was the same man—the rational being of his hon. friend the member for Aberdeen. He knew perfectly well that his hon. friend did not believe poor Gourlay to be insane; and he likewise knew, that the more any person endeavoured to convince his hon. friend of the error of any opinion which once entered into his head, the more certain that person was of having that opinion more obstinately confirmed. This, right or wrong, would surely be the case. His hon. friend was, therefore, quite consistent in asserting that this unfortunate man was sane. Now, he had seen, perhaps, five hundred madmen, who could talk as rationally as his hon. friend upon some points; and the physicians said the same, but then their experience suggested the mode of striking the key of the disorder. That was the way in which madness was detected, but of which his hon. friend did not seem to be aware, and he sincerely hoped his hon. friend would never know more of the matter than he did at that moment. He must again declare, that he was no party to this man's detention. Indeed, the moment after he was taken in the lobby of that House, a gallant friend of his (general Fergusson) had been told by the man himself, that he had no complaint to make against Mr. Brougham, who had always behaved to him like a gentleman, and shaken hands with him upon parting after he had delivered his last petition. Now, he had had the curiosity to look into the votes to see what was the nature of the petition about which Mr. Gourlay had complained; and he found that, so far from its having had any reference to the petitioner's own grievances, it solely related to the education of the poor—a subject in which he (Mr. B.) had been very much engaged, and upon that account had he been selected for the presentation of this very petition. As to the poor man's own case of suffering, he had heard it distinctly from him: he had been badly used in Canada—that is, he had been tried and punished, when he ought not to have been tried at all; for he was clearly under a calenture at the moment, and a fitter subject for a lunatic hospital than a court of justice; and this calenture had been sorely aggravated by the trial and subsequent imprisonment. The petitioner had been bred a gentleman, but during his aberrations he had permitted himself to fall so low, as to be a parish pauper in Wiltshire, and to break stones on the road for his sustenance. Why allow his supposed resentment to have slumbered for more than three years, and then have endeavoured to commit an assault in the presence of a hundred people, in so public a place as the lobby of the House of Commons, where he knew he must be interrupted; and then, not upon any personal ground, but because of what he called a debate upon "a dead missionary?" The whole act was that of a lunatic, and rendered, if possible, more evident, by the letters which he had written to the Speaker; for in them he said, that he was a loyal man, but there was no disloyalty in pulling the king by the nose; which he illustrated by adding, that if the king fell into a well, would not any loyal subject be justified in pulling him out by the nose, to save him from drowning? And again, if our Saviour was right in chasing the money-lenders from the Temple, was he not right in endeavouring to drive the knaves from the senate? In fact, if ever there was a clear case of aberration of reason, it was in this instance. The poor man was not an object of reasonable denunciation. What was his own statement? He said, "I have selected you, Mr. Brougham, as the object of my attack, because you are a well-known, or (as he said) a distinguished person, and I cannot have a surer way of bringing myself into conspicuous notoriety." In charity he must suppose such a person insane, for if otherwise could the human mind conceive a more atrocious crime, than that of one man seeking another's life, and putting his own in jeopardy for the mere purpose of personal notoriety? But his conduct, then and since, clearly showed his mental delusion: he did not quarrel with Mr. Maufe of the Treasury; he did not bring his case.
before any of the proper public tribunals; but it was used as a stalking horse for a certain class of people to deal in slander and calumny. By these he was charged with a want of personal courage, because he did not fight this lunatic. Yes; he was so charged in a filthy publication of the day, in which he had recently seen a poem, which set forth this accusation. It was the production, he believed, of a set of persons who wrote very pretty poems, but whose lines were very immoral; who devoted themselves to slander and destroying reputations! Amongst them, he was sorry to say, were clergymen of the Established Church—men who thought that, by running down characters, they would recommend themselves to patronage; but not one of whom, he sincerely hoped, the present government would ever make the object of promotion. They kept themselves in darkness. From the hiding places in which they lurked, they issued their poison; and endeavoured by their malignant interposition, to set one set of men to cut the throats of another. His hon. friend had asked, why his accuser had not come forward. Why! the law was his accuser, and required sureties for his good behaviour. Why did not his hon. friend, if he believed him to be sane, come forward, he being a rich man, and become his surety? No; he prudently refrained from such a step, because he doubtless apprehended, that when Goarlay was released, he might be exposed to personal attack in his next paroxism, and told as the people in the lobby were, "let the dead bury their dead." If the sureties were once given, the man must be enlarged, and the public must take their chance with him. But he must again, once for all, protest against being considered either his accuser or detainer.

Mr. Hudson Gurney professed himself not satisfied with the statement of the hon. and learned gentleman, as to the mode in which this man had been detained in custody; and, as he understood, by the order of that House.

Mr. Brougham repeated, that there had been no detention of this man by the authority of that House.

Mr. Perceval said, he understood that the hon. member for Aberdeen and other persons were willing to give the necessary security for this individual, but that he refused to accept it, until a commission had been appointed and made their report.

He thought that the lesson which should be drawn from the petitions of this individual was, that when a man obstinately refused to conform to the practice, and to obey the regulations of the law, he ought to suffer for his indiscretion. He thought that the hon. member for Aberdeen would behave in a much kinder manner to this individual, if he refused to present any more of his petitions. The petitioner seemed to think that it was practicable to get out of confinement by other means than those which the law prescribed; and, as long as members continued to present his petitions, so long would this delusion continue.

Lord Palmerston could not help thinking that the refusal of the offer of the hon. member for Aberdeen indicated something very like mental aberration in the petitioner.

Ordered to lie on the table.

HOUSE OF LORDS.

MONDAY, JULY 2.

THE KING’S SPEECH AT THE CLOSE OF THE SESSION.] After the royal assent had been given, by commission, to several public and private bills, an end was put to the session. The following is the Speech of the Lords Commissioners:

"My Lords and Gentlemen,

"We are commanded by his Majesty to express to you the satisfaction which his Majesty feels in being enabled, by the State of the Public Business, to release you from further attendance in Parliament.

"His Majesty directs us to inform you, that he continues to receive from all Foreign Powers, assurances of their earnest desire to cultivate relations of friendship with his Majesty; and that his Majesty’s best efforts, as well as his Majesty’s communications with his Allies, are unceasingly directed to the termination of existing hostilities, and to the maintenance of general peace.

"Gentlemen of the House of Commons,

"His Majesty commands us to thank you for the Supplies which you have granted for the service of the present year, and to assure you that his Majesty has given directions for a careful revision of the
Financial State of the Country, with a view to every diminution of expenditure which may be found consistent with the necessary demands of the Public Service, and with the permanent interests, good faith, and honour, of the nation.

"My Lords, and Gentlemen.

"His Majesty is confident that you participate with his Majesty in the pleasure which his Majesty derives from the indications of a gradual revival of employment in the manufacturing districts.

"His Majesty trusts, that although your deliberations on the Corn Laws have not led, during the present session, to a permanent settlement of that important question, the consideration of it will be resumed by you early in the ensuing session, and that such an arrangement of it may finally be adopted as shall satisfy the reasonable wishes, and reconcile the substantial interests, of all classes of his Majesty's Subjects."

The Parliament was then prorogued until the 21st of August.
APPENDIX.

FINANCE ACCOUNTS

FOR THE YEAR ENDED 5th JANUARY, 1827.

CLASS.

I. --- Public Income.
II. --- Public Expenditure.
III. --- Consolidated Fund.
IV. --- Public Funded Debt.
V. --- Unfunded Debt.
VI. --- Disposition of Grants.
VII. --- Arrears and Balances.
VIII. --- Trade and Navigation.
### No. I.—An Account of the Ordinary Revenues and Extraordinary Resources, Ireland, for the Year

#### Heads of Revenue

<table>
<thead>
<tr>
<th>Ordinary Resources</th>
<th>Gross Receipt</th>
<th>Repayments, Allowances, Discounts, Drawbacks, and Summons of the Nature of Drawbacks, &amp;c.</th>
<th>Net Receipt within the Year, after deducting Repayments, &amp;c.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>£. s. d.</td>
<td>£. s. d.</td>
<td>£. s. d.</td>
</tr>
<tr>
<td>Customs</td>
<td>20,582,874 11 8</td>
<td>1,019,961 10 0</td>
<td>19,562,973 1 8</td>
</tr>
<tr>
<td>Excise</td>
<td>2,541,869 1 6</td>
<td>1,354,254 1 2</td>
<td>806,616 16 4</td>
</tr>
<tr>
<td>Stamps</td>
<td>7,101,563 18 6</td>
<td>221,473 11 7</td>
<td>6,880,090 6 10</td>
</tr>
<tr>
<td>Taxes, under the Management of the Commissioners of Taxes</td>
<td>5,030,825 18 5</td>
<td>6,519 12 1</td>
<td>5,023,309 6 7</td>
</tr>
<tr>
<td>Post Office</td>
<td>3,398,878 9 7</td>
<td>95,870 6 9</td>
<td>3,304,011 13 10</td>
</tr>
<tr>
<td>Hackney Coaches, and Hawkers and Pedlars</td>
<td>74,870 7 2</td>
<td>-</td>
<td>74,870 7 2</td>
</tr>
<tr>
<td>Crown Lands</td>
<td>278,989 6 10</td>
<td>-</td>
<td>278,989 6 10</td>
</tr>
<tr>
<td>Small Branches of the King’s Hereditary Revenue</td>
<td>9,343 0 0</td>
<td>-</td>
<td>9,343 0 0</td>
</tr>
<tr>
<td>Surplus Fees of Registered Public Offices</td>
<td>49,169 14 11</td>
<td>-</td>
<td>49,169 14 11</td>
</tr>
<tr>
<td>Poundage Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees</td>
<td>9,594 10 8</td>
<td>-</td>
<td>9,594 10 8</td>
</tr>
</tbody>
</table>

**TOTALS of Ordinary Revenues**

<table>
<thead>
<tr>
<th>Gross Receipt</th>
<th>£. s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>£56,128,843 17 2</td>
<td>£54,839,685 18 5</td>
</tr>
</tbody>
</table>

#### Other Resources

Money received from the East-India Company, as account of Retired Pay, Pensions, &c. of his Majesty’s Forces serving in the East Indies, per Act 4 Geo. 5, c. 71

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<thead>
<tr>
<th></th>
<th>£. s. d.</th>
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<tbody>
<tr>
<td>£60,000 0 0</td>
<td>£60,000 0 0</td>
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</table>

From the Commissioners for the Issue of Exchequer Bills, per Act 57 Geo. S. c. 34, for the Employment of the Poor.

<table>
<thead>
<tr>
<th></th>
<th>£. s. d.</th>
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<tbody>
<tr>
<td>£117,000 7 2</td>
<td>£117,000 7 2</td>
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Money received from the Trustees of Naval and Military Pensions.

<table>
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<tr>
<th></th>
<th>£. s. d.</th>
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<tbody>
<tr>
<td>£4,380,000 0 0</td>
<td>£4,380,000 0 0</td>
</tr>
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</table>

From several County Treasurers, and others in Ireland, on account of Advances made by the Treasury, for improving Post Roads, for building Gaols, for the Police, for Public Works, Employment of the Poor, &c.

<table>
<thead>
<tr>
<th></th>
<th>£. s. d.</th>
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<tbody>
<tr>
<td>£156,581 8 11s</td>
<td>£156,581 8 11s</td>
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</table>

Impear Monies, repaid by sendry Public Account ants, and other Monies paid to the Public.

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<th></th>
<th>£. s. d.</th>
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<tbody>
<tr>
<td>£184,974 15 7½</td>
<td>£184,974 15 7½</td>
</tr>
</tbody>
</table>

Payment of the Balance settled by Treaty to be due from the King of the Netherlands.

<table>
<thead>
<tr>
<th></th>
<th>£. s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>£100,000 0 0</td>
<td>£100,000 0 0</td>
</tr>
</tbody>
</table>

Repayment on account of Money advanced out of the Consolidated Fund, in the year 1825, for Silver Coinage.

<table>
<thead>
<tr>
<th></th>
<th>£. s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>£296,365 14 10</td>
<td>£296,365 14 10</td>
</tr>
</tbody>
</table>

From the Bank of England, on account of Unclaimed Dividends.

<table>
<thead>
<tr>
<th></th>
<th>£. s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>£64,381 12 2</td>
<td>£64,381 12 2</td>
</tr>
</tbody>
</table>

**TOTALS of the Public Income of the United Kingdom**

<table>
<thead>
<tr>
<th></th>
<th>£. s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>£65,408,347 15 11</td>
<td>£60,109,189 17 7</td>
</tr>
</tbody>
</table>

Whitehall, Treasury Chambers, 2
24th March, 1827.
constituting the **PUBLIC INCOME** of the United Kingdom of Great Britain and ended 5th January, 1827.

<table>
<thead>
<tr>
<th>TOTAL INCOME, including Balance outstanding 6th Jan., 1826</th>
<th>Charges of Collection, and other Payments out of the Income, in the Exchequer.</th>
<th>PAYMENTS into the Exchequer.</th>
<th>BALANCES and Bills outstanding on 5th January, 1827</th>
<th>TOTAL DISCHARGE of the INCOME.</th>
<th>Rate per cent for which the above balance was collected.</th>
</tr>
</thead>
<tbody>
<tr>
<td>£. s. d.</td>
<td>£. s. d.</td>
<td>£. s. d.</td>
<td>£. s. d.</td>
<td>£. s. d.</td>
<td>£. s. d.</td>
</tr>
<tr>
<td>20,083,083 10 8</td>
<td>2,971,905 15 7</td>
<td>17,509,711 19 3</td>
<td>580,383 15 9</td>
<td>20,083,083 10 8</td>
<td>7 9 42</td>
</tr>
<tr>
<td>21,791,368 0 6</td>
<td>1,677,423 3 6</td>
<td>19,176,019 13 0</td>
<td>1002,098 3 9</td>
<td>21,791,368 0 6</td>
<td>5 13 73</td>
</tr>
<tr>
<td>7,166,251 14 7</td>
<td>158,212 9 9</td>
<td>8,724,292 11 10</td>
<td>279,398 12 10</td>
<td>7,166,251 14 7</td>
<td>2 12 54</td>
</tr>
<tr>
<td>5,115,044 16 18</td>
<td>308,141 0 0</td>
<td>4,702,743 12 6</td>
<td>103,160 3 10</td>
<td>5,115,044 16 18</td>
<td>5 14 92</td>
</tr>
<tr>
<td>5,510,799 9 2</td>
<td>747,018 0 11</td>
<td>1,570,000 0 0</td>
<td>193,781 2 3</td>
<td>5,510,799 9 2</td>
<td>18 6 113</td>
</tr>
<tr>
<td>2477,31 4</td>
<td>1,186 11 7</td>
<td>38,487 10 6</td>
<td>3,117 13 3</td>
<td>2477,31 4</td>
<td>3 7 10</td>
</tr>
<tr>
<td>74,376 9 1</td>
<td>9,868 1 1</td>
<td>64,151 10 0</td>
<td>376 15 0</td>
<td>74,376 9 1</td>
<td>1 13 4</td>
</tr>
<tr>
<td>315,945 8 1</td>
<td>291,169 13 10</td>
<td>-</td>
<td>24,776 16 10</td>
<td>315,945 8 1</td>
<td>15 16 2</td>
</tr>
<tr>
<td>15,698 17 5</td>
<td>3,572 18 8</td>
<td>6,395 8 7</td>
<td>3,800 10 2</td>
<td>15,698 17 5</td>
<td>14 15 10</td>
</tr>
<tr>
<td>9,594 10 8</td>
<td>-</td>
<td>9,594 10 8</td>
<td>-</td>
<td>9,594 10 8</td>
<td>-</td>
</tr>
<tr>
<td>57,308,756 1 1</td>
<td>5,387,384 15 2</td>
<td>50,625,465 11 6</td>
<td>2,180,885 14 5</td>
<td>57,308,756 1 1</td>
<td>6 18 72</td>
</tr>
</tbody>
</table>

| 60,000 0 0 | - | - | 60,000 0 0 | - | 60,000 0 0 | - |
| 117,000 7 2 | - | - | 117,000 7 2 | - | 117,000 7 2 | - |
| 4,380,000 0 0 | - | - | 4,380,000 0 0 | - | 4,380,000 0 0 | - |
| 150,581 8 11 | - | - | 150,581 8 11 | - | 150,581 8 11 | - |
| 184,974 15 7 | - | - | 184,974 15 7 | - | 184,974 15 7 | - |
| 100,000 0 0 | - | - | 100,000 0 0 | - | 100,000 0 0 | - |
| 206,365 14 10 | - | - | 206,365 14 10 | - | 206,365 14 10 | - |
| 64,581 12 2 | - | - | 64,581 12 2 | - | 64,581 12 2 | - |
| 62,472,859 19 10 | 5,287,384 15 2 | 54,889,468 10 3 | 2,180,885 14 5 | 62,472,859 19 10 | - |

---

**J. C. HERRIES**
No. II.—An Account of the Ordinary Revenues and Extraordinary Revenues of the Year ended

### HEADS OF REVENUE

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ordinary Revenues.</strong></td>
</tr>
<tr>
<td>Customs</td>
</tr>
<tr>
<td>Excise</td>
</tr>
<tr>
<td>Stamps</td>
</tr>
<tr>
<td>Taxes, under the Management of the Commissioners of Taxes</td>
</tr>
<tr>
<td>One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Poor Shillings in the Pound on Pensions</td>
</tr>
<tr>
<td>Hackney Coaches, and Hawkers and Pedlars</td>
</tr>
<tr>
<td>Crown Lands</td>
</tr>
<tr>
<td>Small Branches of the King's Hereditary Revenue</td>
</tr>
<tr>
<td>Surplus Fees of Regulated Public Offices</td>
</tr>
<tr>
<td><strong>Totals of Ordinary Revenues</strong></td>
</tr>
</tbody>
</table>

### Other Resources

- Money received from the East India Company on Account of Retired Pay, Pensions, &c., of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71
- From the Commissioners for the Issue of Exchequer Bills, per Act 57 Geo. 3, c. 34, for the Employment of the Poor
- Money received from the Trustees of Naval and Military Pensions
- Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public
- Payment of the Balance settled by Treaty to be due from the King of the Netherlands
- Repayment on Account of Money advanced out of the Consolidated Fund in the year 1825, for Silver Coinage
- From the Bank of England on Account of Unclaimed Dividends

**Totals of the Public Income of Great Britain:**

58,759,041 10 10

<table>
<thead>
<tr>
<th>Description</th>
<th>£ s. d.</th>
<th>£ s. d.</th>
<th>£ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customs</td>
<td>18,551,708 1 5</td>
<td>953,538 10 11</td>
<td>17,598,163 10 54</td>
</tr>
<tr>
<td>Excise</td>
<td>80,784,819 18 12</td>
<td>1,854,640 2 4</td>
<td>83,930,379 45 94</td>
</tr>
<tr>
<td>Stamps</td>
<td>6,034,591 3 6</td>
<td>251,761 6 6</td>
<td>6,283,350 17 99</td>
</tr>
<tr>
<td>Taxes</td>
<td>5,030,928 18 8</td>
<td>6,519 12 1</td>
<td>5,023,409 6 7</td>
</tr>
<tr>
<td>One Shilling in the Pound, and Sixpence in the Pound on Pensions</td>
<td>49,567 16 91</td>
<td>- -</td>
<td>49,567 16 91</td>
</tr>
<tr>
<td>Hackney Coaches, and Hawkers and Pedlars</td>
<td>74,370 7 9</td>
<td>- -</td>
<td>74,370 7 9</td>
</tr>
<tr>
<td>Crown Lands</td>
<td>278,068 0 103</td>
<td>- -</td>
<td>278,068 0 103</td>
</tr>
<tr>
<td>Small Branches of the King's Hereditary Revenue</td>
<td>3,343 0 0</td>
<td>- -</td>
<td>3,343 0 0</td>
</tr>
<tr>
<td>Surplus Fees of Regulated Public Offices</td>
<td>69,160 14 11</td>
<td>- -</td>
<td>69,160 14 11</td>
</tr>
<tr>
<td><strong>Totals of Ordinary Revenues</strong></td>
<td>53,666,506 17 9</td>
<td>3,140,354 9 6</td>
<td>50,826,152 8 3</td>
</tr>
</tbody>
</table>

Whitewall, Treasury Chambers, 24th March, 1837.
## Resources constituting the PUBLIC INCOME of GREAT BRITAIN, for 5th January, 1827.

<table>
<thead>
<tr>
<th>TOTAL INCOME, including BALANCE outstanding 4th Jan., 1826.</th>
<th>Charge of Collection and other Payments out of the Income, in its Progress to the Exchequer.</th>
<th>PAYMENTS into the EXCHEQUER.</th>
<th>BALANCES and HILLS outstanding on 5th January, 1827.</th>
<th>TOTAL DISCHARGE of the INCOME.</th>
<th>Rate per cent for which the Gross Issue was collected.</th>
</tr>
</thead>
<tbody>
<tr>
<td>£.</td>
<td>s.</td>
<td>d.</td>
<td>£.</td>
<td>s.</td>
<td>d.</td>
</tr>
<tr>
<td>18,088,749 12 2</td>
<td>1,789,271 9 8</td>
<td>15,796,763 10 10</td>
<td>532,714 11 8</td>
<td>18,088,749 12 2</td>
<td>6 7 6</td>
</tr>
<tr>
<td>6,696,593 8 5</td>
<td>154,370 14 10</td>
<td>6,277,014 14 8</td>
<td>267,357 18 11</td>
<td>6,696,593 8 5</td>
<td>2 6 2</td>
</tr>
<tr>
<td>5,115,044 16 5</td>
<td>309,141 0 0</td>
<td>4,796,783 12 6</td>
<td>103,160 3 10</td>
<td>5,115,044 16 5</td>
<td>5 14 24</td>
</tr>
<tr>
<td>2,274,150 11 5</td>
<td>631,770 3 1</td>
<td>1,696,000 0 0</td>
<td>146,380 8 4</td>
<td>2,274,150 11 5</td>
<td>56 15 49</td>
</tr>
<tr>
<td>59,731 15 44</td>
<td>1,186 11 7</td>
<td>48,447 10 64</td>
<td>3,117 13 3</td>
<td>59,731 15 44</td>
<td>3 7 10</td>
</tr>
<tr>
<td>74,376 9 1</td>
<td>9,848 1 1</td>
<td>64,135 10 0</td>
<td>3,768 18 0</td>
<td>74,376 9 1</td>
<td>13 14 10</td>
</tr>
<tr>
<td>315,945 8 1</td>
<td>891,168 13 104</td>
<td>24,776 14 2</td>
<td>315,945 8 1</td>
<td>15 16 2</td>
<td></td>
</tr>
<tr>
<td>13,650 17 34</td>
<td>3,517 10 9</td>
<td>6,385 8 7</td>
<td>3,800 10 8</td>
<td>13,650 17 34</td>
<td>14 15 10</td>
</tr>
<tr>
<td>69,160 14 11</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>69,160 14 11</td>
<td>-</td>
</tr>
<tr>
<td>56,590,278 15 4</td>
<td>4,427,563 16 61</td>
<td>446,179,861 0 11</td>
<td>1,987,853 17 11</td>
<td>56,590,278 15 4</td>
<td>6 3 64</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>£.</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>60,000 0 0</td>
<td>60,000 0 0</td>
<td>60,000 0 0</td>
</tr>
<tr>
<td>117,000 7 2</td>
<td>117,000 7 2</td>
<td>117,000 7 2</td>
</tr>
<tr>
<td>4,380,000 0 0</td>
<td>4,380,000 0 0</td>
<td>4,380,000 0 0</td>
</tr>
<tr>
<td>164,586 18 11</td>
<td>164,586 18 11</td>
<td>164,586 18 11</td>
</tr>
<tr>
<td>100,000 0 0</td>
<td>100,000 0 0</td>
<td>100,000 0 0</td>
</tr>
<tr>
<td>64,581 12 2</td>
<td>64,581 12 2</td>
<td>64,581 12 2</td>
</tr>
<tr>
<td>57,688,813 8 54</td>
<td>4,427,563 16 61</td>
<td>551,872,395 14 09</td>
</tr>
</tbody>
</table>

J. C. HERRIES.
No. III.—An Account of the Ordinary Revenues and Extraordinary ended 5th

<table>
<thead>
<tr>
<th>HEADS OF REVENUE</th>
<th>GROSS RECEIPT</th>
<th>Depositions, Drawbacks, Discounts, &amp;c.</th>
<th>NETT RECEIPT within the Year, after deducting Deficiencies, &amp;c.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customs</td>
<td>2,951,929 10 3</td>
<td>66,418 19 0</td>
<td>1,984,809 11 3</td>
</tr>
<tr>
<td>Excise</td>
<td>1,797,140 16 4</td>
<td>60,809 15 10</td>
<td>1,496,347 0 7</td>
</tr>
<tr>
<td>Stamps</td>
<td>466,612 14 11</td>
<td>9,692 5 1</td>
<td>456,920 9 9</td>
</tr>
<tr>
<td>Post Office</td>
<td>207,757 6 11</td>
<td>21,795 9 2</td>
<td>185,961 17 9</td>
</tr>
<tr>
<td>Fumigation Fees, Civil Fees, Casualties, Treasury Fees, and Hospital Fees</td>
<td>9,594 10 8</td>
<td>-</td>
<td>9,594 10 8</td>
</tr>
<tr>
<td><strong>Totals of Ordinary Revenues</strong></td>
<td><strong>4,475,536 19 5</strong></td>
<td><strong>158,803 9 2</strong></td>
<td><strong>4,315,533 10 2</strong></td>
</tr>
</tbody>
</table>

\textbf{Other Revenues.}

- From the Provost and Fellows of Trinity College, on Account of Advances made by the Treasury for completing the North Square of the said College, per Act 54 Geo. 3, c. 67.
  - 1,107 13 10
- On Account of Advances made by the Treasury for Improving Post Roads in Ireland, under Act 43 Geo. 3, c. 43.
  - 7,638 2 6
- On Account of Advances made by the Treasury for building Gaols, under Act 50 Geo. 3, c. 103.
  - 23,788 13 2
- On Account of Advances made by the Treasury, for Police in proclaimed Districts, under Acts 54 Geo. 3, c. 131 and 132, and 3 Geo. 4, c. 103.
  - 98,513 18 4
- On Account of Advances made by the Treasury for Public Works and Employment of the Poor, under Acts 57 Geo. 3, c. 34 & 124, and 3 Geo. 4, c. 112, and 3 Geo. 4, c. 64.
  - 25,539 1 1
- Imprison Monies repaid by sundry Public Accountants, and other Monies paid to the Public.
  - 20,387 16 8

**Totals of the Public Income of Ireland**

4,649,506 5 1

158,463 9 2

4,490,265 13 10

Whitehall, Treasury Chambers, 2
24th March, 1837.
## Class 1: Public Income

Resources, constituting the Public Income of Ireland, for the Year
January, 1827.

<table>
<thead>
<tr>
<th>TOTAL INCOME</th>
<th>Charge of Collection, and other Payments out of the Income, in its Progress to the Exchequer.</th>
<th>PAYMENTS into the EXCHEQUER.</th>
<th>BALANCES and Bills demanding on 4th January, 1827</th>
<th>TOTAL DISCHARGE of the INCOME.</th>
<th>Rate per Cent for which the Gross Receipt was collected.</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. s. d.</td>
<td>L. s. d.</td>
<td>L. s. d.</td>
<td>L. s. d.</td>
<td>L. s. d.</td>
<td>L. s. d.</td>
</tr>
<tr>
<td>2,054,435 18 11</td>
<td>492,714 5 11</td>
<td>1,513,948 8 5</td>
<td>47,671 4 14</td>
<td>2,054,435 18 11</td>
<td>8 71</td>
</tr>
<tr>
<td>1,848,541 18 71</td>
<td>894,807 0 0</td>
<td>1,472,745 14 21</td>
<td>95,523 4 4</td>
<td>1,848,541 18 71</td>
<td>7 62</td>
</tr>
<tr>
<td>468,358 6 11</td>
<td>31,091 14 10</td>
<td>425,335 17 21</td>
<td>11,030 14 01</td>
<td>468,358 6 11</td>
<td>6 17</td>
</tr>
<tr>
<td>336,648 11 94</td>
<td>115,247 17 104</td>
<td>74,000 0 0</td>
<td>47,600 13 11</td>
<td>336,648 11 94</td>
<td>5 11</td>
</tr>
<tr>
<td>9,594 10 83</td>
<td>- -</td>
<td>9,594 10 83</td>
<td>- -</td>
<td>9,594 10 83</td>
<td>-</td>
</tr>
<tr>
<td>4,612,477 5 8 2</td>
<td>964,820 18 82</td>
<td>3,645,624 10 61</td>
<td>207,051 16 6</td>
<td>4,612,477 5 8 2</td>
<td>16 0 2</td>
</tr>
</tbody>
</table>

| 1,107 13 10 | - - -                                                                               | 1,107 13 10                | - -                                           | 1,107 13 10                  | -                                                 |
| 7,632 2 6   | - - -                                                                               | 7,632 2 6                  | - -                                           | 7,632 2 6                   | -                                                 |
| 23,788 13 21| - - -                                                                               | 23,788 13 21               | - -                                           | 23,788 13 21                | -                                                 |
| 98,513 18 4 1| - - -                                                                               | 98,513 18 4 1              | - -                                           | 98,513 18 4 1              | -                                                 |
| 23,539 1 11  | - - -                                                                               | 23,539 1 11                | - -                                           | 23,539 1 11                 | -                                                 |
| 20,387 16 8 3| - - -                                                                               | 20,387 16 8 3              | - -                                           | 20,387 16 8 3              | -                                                 |
| 4,799,446 11 4| 964,820 18 8 2                                                                     | 3,024,593 16 21            | 207,051 16 6                                 | 4,799,446 11 4              | -                                                 |

J. C. Herries.
No. I.—An Account of the TOTAL INCOME of the REVENUE of GREAT BRITAIN, Repayments, Allowances, Discounts, Drawbacks, and Bounties of the nature DUE TURNE of the United Kingdom, exclusive of the Sums ap-

<table>
<thead>
<tr>
<th>Head of Revenue</th>
<th>Next Receipt in Account of Public Income.</th>
<th>——</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ORDINARY REVENUES.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balances and Bills outstanding on 5th January 1826</td>
<td>19,564,973 1 84</td>
<td>9,365,070 8 65</td>
</tr>
<tr>
<td>Customs</td>
<td>20,626,692 1 44</td>
<td></td>
</tr>
<tr>
<td>Excise</td>
<td>6,340,030 6 10</td>
<td></td>
</tr>
<tr>
<td>Stamps</td>
<td>5,923,509 6 7</td>
<td></td>
</tr>
<tr>
<td>Post Office</td>
<td>2,396,401 15 10</td>
<td></td>
</tr>
<tr>
<td>One Shilling and Sixpenny Duty on Pensions and Salaries, and Four Shilling in the Pound on Pensions</td>
<td>49,587 15 91</td>
<td></td>
</tr>
<tr>
<td>Hackney Coaches, and Hawkers and Pedlars</td>
<td>74,370 7 0</td>
<td></td>
</tr>
<tr>
<td>Crown Lands</td>
<td>278,088 0 10 1</td>
<td></td>
</tr>
<tr>
<td>Small Branches of the King's Hereditary Revenue</td>
<td>9,243 0 0</td>
<td></td>
</tr>
<tr>
<td>Surplus Fees of Regulated Public Offices</td>
<td>69,160 14 11</td>
<td></td>
</tr>
<tr>
<td>Foundry Fees, Pells Fees, Casualties, Treasury Fees</td>
<td>9,594 10 8</td>
<td></td>
</tr>
<tr>
<td>Deduct Balances and Bills outstanding on 5th January 1827</td>
<td>- -</td>
<td>54,839,685 18 54</td>
</tr>
<tr>
<td>Total Ordinary Revenues</td>
<td>- -</td>
<td>57,302,756 1 14</td>
</tr>
<tr>
<td>OTHER RESOURCES.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Money resolved from the East India Company, on account of Retired Pay, Pensions, &amp;c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71</td>
<td>60,000 0 0</td>
<td></td>
</tr>
<tr>
<td>From the Commissioners for the issue of Exchequer Bills, per Act 57 Geo. 3, c. 34, for the employment of the Poor</td>
<td>117,000 7 2</td>
<td></td>
</tr>
<tr>
<td>Money received from the Trustees of Naval and Military Pensions</td>
<td>6,305,000 0 0</td>
<td></td>
</tr>
<tr>
<td>Money repaid in Ireland on account of Advances from the Consolidated Fund, under various Acts for Public Improvement</td>
<td>136,581 8 11</td>
<td></td>
</tr>
<tr>
<td>Interest and other Monies paid into the Exchequer</td>
<td>184,974 15 73</td>
<td></td>
</tr>
<tr>
<td>Payment of the Balances settled by Treaty to be due from the King of the Netherlands</td>
<td>100,000 0 0</td>
<td></td>
</tr>
<tr>
<td>Repayment on account of Money advanced out of the Consolidated Fund, in the year 1825, for Silver Coinsage</td>
<td>206,565 14 10</td>
<td></td>
</tr>
<tr>
<td>From the Bank of England, on account of Unclaimed Dividends</td>
<td>64,581 12 9</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5,869,303 18 9</td>
<td>60,000,374 5 54</td>
</tr>
<tr>
<td>Balances in the hands of Receivers, &amp;c. on 5th January 1826</td>
<td>2,363,070 2 94</td>
<td></td>
</tr>
<tr>
<td>Ditto on 5th January 1827</td>
<td>2,189,883 14 5</td>
<td></td>
</tr>
<tr>
<td>Balances less in 1827 than in 1826</td>
<td>173,184 8 34</td>
<td></td>
</tr>
<tr>
<td>Surplus Income paid into Exchequer over Expenditure thereof</td>
<td>1,009,460 8 04</td>
<td></td>
</tr>
<tr>
<td>Actual Excess of Income over Expenditure</td>
<td>836,663 19 94</td>
<td></td>
</tr>
</tbody>
</table>
OLASS 11.—PUBLIC EXPENDITURE.

TAIW AND IRELAND, in the Year ended 5th January 1827, after deducting the
of Drawbacks; together with an Account of the PUBLIC EXPENDITURE
plied to the Reduction of the National Debt within the same Period.

<table>
<thead>
<tr>
<th>EXPENDITURE</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>PAYMENTS OUT OF THE INCOME</td>
<td></td>
<td></td>
</tr>
<tr>
<td>in its progress to the Exchequer :</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charges of Collection</td>
<td>4080,357 7 24</td>
<td></td>
</tr>
<tr>
<td>Other Payments</td>
<td>1597,047 7 11</td>
<td></td>
</tr>
<tr>
<td><strong>Total Payments out of the Income, prior to the Payments into the Exchequer</strong></td>
<td></td>
<td>5387,394 15 24</td>
</tr>
</tbody>
</table>

| PAYMENTS OUT OF THE EXCHEQUER : |                      |                      |
| Dividends, Interest, and Management of the Public Pledged Debt, four Quarters to 10th October 1826, exclusive of 5,591,931L. 16s. 2d. issued to the Commissioners for the Reduction of the National Debt |                      | 28,076,958 0 3 |
| Interest on Exchequer Bills | 831,307 6 3 |                      |
| Issued to the Trustees of Naval and Military Pensions, per Act 3 Geo. 4, c. 51 | 214,260 0 0 |                      |
| Ditto - - Bank of England, per Act 4 Geo. 4, c. 25 | 583,740 0 0 |                      |
| Civil List | 1597,000 0 0 |                      |
| Penalties charged by Act of Parliament on Consolidated Fund, four Quarters to 10th October 1826 | 364,268 6 5 |                      |
| Salaries and Allowances | 69,115 13 5 |                      |
| Courts of Justice | 150,590 15 11 |                      |
| Mint | 16,750 0 0 |                      |
| Bonuses | 9,956 13 8 |                      |
| Miscellaneous | 204,064 7 9 |                      |
| Ditto - - Ireland | 301,427 10 6 |                      |
| Advance on account of the Wet Docks at Leith | 240,000 0 0 |                      |
| Per the purchase of the Duke of Athol's Interests in the Public Revenues of the Isle of Man | 150,000 0 0 |                      |
| Towards rebuilding London Bridge, per Act 7 Geo. 4, c. 40 | 120,000 0 0 | 510,000 0 0 |
| Army | 82,973,360 15 8 |                      |
| Navy | 6,340,634 9 2 |                      |
| Ordnance | 1,889,606 9 8 |                      |
| Miscellaneous | 3,566,783 11 5 |                      |
| Lottery Prizes | 69,802 5 10 |                      |
| By the Commissioners for issuing Exchequer Bills, per Act 3 Geo. 4, c. 86, for the Employment of the Poor | 463,300 0 0 |                      |
| Advances out of the Consolidated Fund in Ireland, for Public Works | 546,922 2 6 |                      |
| **Total** | 1060,026 8 4 |                      |
| **Total Surplus of Income paid into Exchequer, over Expenditure issued thereout** | 59,978,282 17 5 |                      |
| | 1009,446 8 0 |                      |
| | 60,282,372 5 5 |                      |

J. C. HERIES,
No. II.—An Account of the Nett PUBLIC INCOME of the United Kingdom of the Expenditure thereout, defrayed by the several Revenue Departments, exclusive of the Sums applied to the Redemption of the Public Debt.

<table>
<thead>
<tr>
<th>Income</th>
<th>Applicable to the Consolidated Fund</th>
<th>Applicable to other Public Services</th>
<th>Income paid into the Exchequer</th>
</tr>
</thead>
<tbody>
<tr>
<td>£</td>
<td>t.</td>
<td>d.</td>
<td>£</td>
</tr>
<tr>
<td>Customs</td>
<td>17,270,311 19 91</td>
<td></td>
<td>10,400</td>
</tr>
<tr>
<td>Excise</td>
<td>19,172,019 13 0</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Stamps</td>
<td>6,702,350 11 10</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Taxes under the management of the Commissioners of Taxes, including Arrears of Property Tax</td>
<td>4,705,743 12 64</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Post Office</td>
<td>1,870,000 9 0</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>One Shilling and Halfpenny Duty on Pensions and Salaries; and Four Shillings in the Pound on Pensions</td>
<td>48,427 10 64</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Hackney Coaches, and Hackneys and Pedlars</td>
<td>66,180 10 87</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Small Branches of the King's Hereditary Revenues</td>
<td>8,383 8 7</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Surplus Fees, regulated Public Offices</td>
<td>69,160 14 11</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Poundage Fees, Polls Fees, Casualties, Treasury Fees, and Hospital Fees</td>
<td>9,594 10 83</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Total Ordinary Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mint repayments on account of Silver Coin</td>
<td>206,365 14 10</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Money paid by the King of the Netherlands</td>
<td>100,000 0 0</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Money repaid in Ireland, on account of advances from the Consolidated Fund, under various Acts for Public Improvements</td>
<td>156,581 8 11</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Imprint and other Supplies paid into the Exchequer</td>
<td>184,839 19 11</td>
<td></td>
<td>134 15 8</td>
</tr>
<tr>
<td>By the East India Company, on account of arrears of Payment, etc., of his Majesty's Forces serving in India, per Act 6 Geo. 4, c. 71</td>
<td>-</td>
<td>-</td>
<td>60,000 0 0</td>
</tr>
<tr>
<td>By the Trustees of Naval and Military Pensions, etc.</td>
<td>-</td>
<td>-</td>
<td>4,280,000 0 0</td>
</tr>
<tr>
<td>By the Commissioners for issuing Exchequer Bills for Public Works</td>
<td>-</td>
<td>-</td>
<td>117,000 7 2</td>
</tr>
<tr>
<td>Money paid by the Bank of England, on account of Unclaimed Dividends, etc.</td>
<td>-</td>
<td>-</td>
<td>64,581 12 8</td>
</tr>
<tr>
<td>Total</td>
<td>50,262,372 15 3</td>
<td></td>
<td>4,639,116 15 0</td>
</tr>
</tbody>
</table>

Whitehall, Treasury Chambers,
8th February, 1827.
**CLASS II.—PUBLIC EXPENDITURE.**

**GREAT BRITAIN AND IRELAND,** in the Year ended 5th January, 1827, after abatements, and of the Actual Issues or Payments within the same period, of Funded Debt, or for paying off Unfunded Debt.

<table>
<thead>
<tr>
<th>EXPENDITURE</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
<th></th>
<th></th>
<th></th>
<th>Nett Expenditure.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dividends, Interest, and Management of the Public Funded Debt, four quarters to 10th October 1826, exclusive of 5,501,921d. issued to the Commissioners for the Reduction of the National Debt</td>
<td>28,016,938</td>
<td>0</td>
<td>3</td>
<td>28,016,938</td>
<td>0</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Interest on Exchequer Bills</td>
<td>851,207</td>
<td>6</td>
<td>3</td>
<td>851,207</td>
<td>6</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Issued to the Trustees of Naval and Military Pensions, per Act 3 Geo. 4, c. 51</td>
<td>2,214,269</td>
<td>0</td>
<td>0</td>
<td>2,214,269</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Ditto — Bank of England — — 4 Geo. 4, c. 82</td>
<td>565,740</td>
<td>0</td>
<td>0</td>
<td>565,740</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Civil List, four quarters to 5th January 1827</td>
<td>2,800,000</td>
<td>0</td>
<td>0</td>
<td>2,800,000</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Pensions charged by Act of Parliament, on Consolidated Fund, four quarters to 10th Oct. 1826</td>
<td>384,988</td>
<td>6</td>
<td>3</td>
<td>384,988</td>
<td>6</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Salaries and Allowances — — Ditto</td>
<td>69,013</td>
<td>13</td>
<td>5</td>
<td>69,013</td>
<td>13</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Courts of Justice — — Ditto</td>
<td>150,590</td>
<td>13</td>
<td>11</td>
<td>150,590</td>
<td>13</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>Mint — — Ditto</td>
<td>14,750</td>
<td>0</td>
<td>0</td>
<td>14,750</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Bounties — — Ditto</td>
<td>2,856</td>
<td>13</td>
<td>8</td>
<td>2,856</td>
<td>13</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous — — Ditto</td>
<td>204,064</td>
<td>7</td>
<td>9</td>
<td>204,064</td>
<td>7</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>Ditto — Ireland — — Ditto</td>
<td>301,427</td>
<td>10</td>
<td>6</td>
<td>301,427</td>
<td>10</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Advance on account of the Wet Docks at Leith</td>
<td>240,000</td>
<td>0</td>
<td>0</td>
<td>240,000</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>For the Purchase of the Duke of Athol’s Interests in the Public Revenues of the Isle of Man</td>
<td>150,000</td>
<td>0</td>
<td>0</td>
<td>150,000</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Advanced towards rebuilding London Bridge, per Act 7 Geo. 4, c. 40</td>
<td>120,000</td>
<td>0</td>
<td>0</td>
<td>120,000</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>3,843,173</td>
<td>7</td>
<td>7</td>
<td>3,843,173</td>
<td>7</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Army</td>
<td>8,997,366</td>
<td>15</td>
<td>0</td>
<td>8,997,366</td>
<td>15</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Navy</td>
<td>6,240,634</td>
<td>9</td>
<td>2</td>
<td>6,240,634</td>
<td>9</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Ordnance</td>
<td>1,869,606</td>
<td>9</td>
<td>8</td>
<td>1,869,606</td>
<td>9</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>2,556,783</td>
<td>11</td>
<td>5</td>
<td>2,556,783</td>
<td>11</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Lottery Prizes</td>
<td>69,802</td>
<td>5</td>
<td>10</td>
<td>69,802</td>
<td>5</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>By the Commissioners for issuing Exchequer Bills, per Act 3 Geo. 4, c. 86, for the Employment of the Poor</td>
<td>443,300</td>
<td>0</td>
<td>0</td>
<td>443,300</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Advances out of the Consolidated Fund in Ireland, for Public Works</td>
<td>546,982</td>
<td>2</td>
<td>6</td>
<td>546,982</td>
<td>2</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1,060,024</td>
<td>8</td>
<td>4</td>
<td>1,060,024</td>
<td>8</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Surplus of Income over Expenditure thereon</td>
<td>3,528,341</td>
<td>2</td>
<td>2</td>
<td>3,528,341</td>
<td>2</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1,009,448</td>
<td>8</td>
<td>0</td>
<td>1,009,448</td>
<td>8</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>54,984,989</td>
<td>10</td>
<td>5</td>
<td>54,984,989</td>
<td>10</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

*J. C. HERRIES.*
No. III.—An Account of the Balance of Public Money remaining in the
 to the Funded or Unfunded Debt, in the Year ended 5th January,
or paying off the Unfunded Debt, within the same period; and

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balances in the Exchequer on 5th January 1826</td>
<td>5,805,638</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Contributions towards funding 8,000,000l. of Exchequer Bills</td>
<td>4,500,000</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Money Raised**

In the Year ended 5th January 1827, by the creation of
Unfunded Debt:

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exchequer Bills issued per Act 6 Geo. 4, c. 70</td>
<td>6,743,700</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ditto - 7 - 2</td>
<td>10,000,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ditto - 7 - 50</td>
<td>8,866,800</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ditto Poor Bills - 3 Geo. 4. c. 86</td>
<td>443,500</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ditto Church Bills - 58 Geo. 3, c. 45</td>
<td>149,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>36,803,700</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Surplus of Income over Expenditure throughout</td>
<td>1,009,448</td>
<td>8</td>
<td>0½</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>37,013,148</td>
<td>19</td>
<td>11½</td>
</tr>
</tbody>
</table>

Whitehall, Treasury Chambers, 2
8th February, 1827.
CLASS II.—PUBLIC EXPENDITURE.

Exchequer on the 5th January, 1826; the amount of money raised by additions 1827; the money applied towards the redemption of the funded; the money remaining in the Exchequer on the 5th January, 1827.

<table>
<thead>
<tr>
<th>Applied By</th>
<th>£.  s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Commissioners for the Reduction of the National Debt in the Redemption of Funded Debt.</td>
<td>5,000,000 0 0</td>
</tr>
<tr>
<td>Sinking Fund, Unredeemed Funded Debt</td>
<td>591,231 16 2</td>
</tr>
<tr>
<td>Interest on Redeemed - Ditto</td>
<td>5,591,231 16 2</td>
</tr>
<tr>
<td>Bank of England, to pay off 5% per cent Annuities 1797 and 1802</td>
<td>30,000 0 0</td>
</tr>
<tr>
<td>Applied towards the Redemption of Funded Debt</td>
<td>5,621,331 16 2</td>
</tr>
</tbody>
</table>

UNFUNDED DEBT.

| Issued to the Paymasters of Exchequer Bills, to pay off Unfunded Debt | 36,278,000 0 0 |
| Balances in the Exchequer at 5th January 1827 | 5,119,555 3 9 |
| Total | 37,067,555 3 9 |

N.B.—The sum of £.5,591,231 16s. 2d. applied by the Commissioners for the Reduction of the National Debt to the purposes of the Sinking Fund, was disposed of as follows; viz.:

<table>
<thead>
<tr>
<th>£.  s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>By Purchase of Stock</td>
</tr>
<tr>
<td>By cancelling Exchequer Bills issued to pay £4 per cent Dissolutions</td>
</tr>
<tr>
<td>By Interest on Exchequer Bills charged on Sinking Fund</td>
</tr>
<tr>
<td>By Life Annuities</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>
No. I.—An Account of the Income of the CONSOLIDATED FUND arising in the 1827; and also of the Actual Payments on account

<table>
<thead>
<tr>
<th>Description</th>
<th>£.  s.  d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Total Income applicable to the Consolidated Fund</td>
<td>50,266,872 15 3</td>
</tr>
</tbody>
</table>

Whitehall, Treasury Chambers, 6th February, 1827.

No. II.—An Account of the MONEY applicable to the Payment of the CHARGE of the 1827, and on the several CHARGES which have become due thereon, charged upon the said Fund, at the commence-

<table>
<thead>
<tr>
<th>Description</th>
<th>£.  s.  d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income arising in Great Britain</td>
<td>46,640,278 19 0</td>
</tr>
<tr>
<td>Income arising in Ireland</td>
<td>5,627,583 16 2</td>
</tr>
<tr>
<td>Add the Sum paid out of the Consolidated Fund in Ireland, towards the Supplies, in the Quarter ended 10th October 1827</td>
<td>437,221 18 4</td>
</tr>
<tr>
<td>Ditto 5th January 1827</td>
<td>278,119 14 2</td>
</tr>
<tr>
<td>Deduct the Sum paid out of the Consolidated Fund, towards the Supplies, in the Quarter ended 5th day of January 1827</td>
<td>246,417 10 4</td>
</tr>
<tr>
<td>Total Sum applicable to the Charge of the Consolidated Fund, in the Year ended 5th day of January 1827</td>
<td>50,671,896 17 9</td>
</tr>
<tr>
<td>Exchequer Bills to be issued to complete the Payment of the Charge, to 5th day of January 1827</td>
<td>5,703,718 11 0</td>
</tr>
</tbody>
</table>

Whitehall, Treasury Chambers, 6th February, 1827.
United Kingdom of Great Britain and Ireland, in the Year ended 5th January, of the Consolidated Fund within the same period.

HEADS OF PAYMENT.

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dividends, Interest, Sinking Fund, and Management of the Public Funded Debt,</td>
<td>32,525,271</td>
<td>14</td>
<td>2</td>
</tr>
<tr>
<td>4 Quarters to 10th October, 1826</td>
<td>67,219</td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td>Interest on Exchequer Bills issued upon the credit of the Consolidated Fund</td>
<td>2,914,260</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Trustees for Naval and Military Pensions, per Act 3 Geo. 4, c. 51.</td>
<td>585,740</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bank of England. per Act 4 Geo. 4, c. 22.</td>
<td>1,037,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Civil List, 4 Quarter to 5th January 1827.</td>
<td>364,268</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Pensions charged by Act of Parliament upon the Consolidated Fund, 4 Quarter</td>
<td>69,115</td>
<td>13</td>
<td>5</td>
</tr>
<tr>
<td>10th October, 1826.</td>
<td>150,369</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Salaries and Allowances</td>
<td>14,750</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Officers of Courts of Justice</td>
<td>7,236</td>
<td>13</td>
<td>8</td>
</tr>
<tr>
<td>Expenditure of the Mint</td>
<td>714,064</td>
<td>7</td>
<td>9</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>301,427</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>Do. - Ireland</td>
<td>546,992</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Advances out of the Consolidated Fund in Ireland, for Public Works</td>
<td>38,919,985</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Surplus of the Consolidated Fund</td>
<td>11,345,897</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>J. C. BEARIES.</td>
<td>50,298,873</td>
<td>15</td>
<td>3</td>
</tr>
</tbody>
</table>

CONSOLIDATED FUND of the United Kingdom, in the Year ended 5th January, in the same year, including the Amount of Exchequer Bills remitted and at the termination of the Year.

HEADS OF CHARGE.

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dividends, Interest, Sinking Fund, and Management of the Public Funded Debt,</td>
<td>32,525,271</td>
<td>14</td>
<td>2</td>
</tr>
<tr>
<td>4 Quarters to 5th January, 1827</td>
<td>67,219</td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td>Interest on Exchequer Bills issued upon the credit of the Consolidated Fund</td>
<td>2,914,260</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Trustees for Naval and Military Pensions, per Act 3 Geo. 4, c. 51.</td>
<td>585,740</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bank of England. per Act 4 Geo. 4, c. 22.</td>
<td>1,037,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Civil List, 4 Quarter to 5th January, 1827.</td>
<td>370,336</td>
<td>17</td>
<td>0</td>
</tr>
<tr>
<td>Salaries and Allowances</td>
<td>70,006</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td>Officers of Courts of Justice</td>
<td>139,686</td>
<td>13</td>
<td>4</td>
</tr>
<tr>
<td>Expenditure of the Mint</td>
<td>14,750</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bounty</td>
<td>9,356</td>
<td>13</td>
<td>8</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>300,181</td>
<td>19</td>
<td>5</td>
</tr>
<tr>
<td>Do. - Ireland</td>
<td>546,992</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>Advances out of the Consolidated Fund in Ireland, for Public Works</td>
<td>38,928,706</td>
<td>9</td>
<td>7</td>
</tr>
<tr>
<td>Exchequer Bills issued to make good the charge of the Consolidated Fund, to</td>
<td>5,548,817</td>
<td>9</td>
<td>7</td>
</tr>
<tr>
<td>5th January, 1826.</td>
<td>44,553,323</td>
<td>19</td>
<td>2</td>
</tr>
<tr>
<td>Surplus of the Consolidated Fund</td>
<td>11,845,091</td>
<td>9</td>
<td>6</td>
</tr>
<tr>
<td>J. C. BEARIES.</td>
<td>56,375,615</td>
<td>8</td>
<td>9</td>
</tr>
</tbody>
</table>
### FINANCE ACCOUNTS:

An Account of the State of the PUBLIC FUNDED DEBTS of GREAT BRITAIN the Debt incurred by

<table>
<thead>
<tr>
<th>GREAT BRITAIN.</th>
<th>1. CAPITALS.</th>
<th>2. CAPITALS Reform'd and transferred to the Commissioners.</th>
<th>3. CAPITALS UNREDEEMED.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>£.  s.  d.</td>
<td>£.  s.  d.</td>
<td>£.  s.  d.</td>
</tr>
<tr>
<td>Debt due to the South Sea at £3 per cent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Company</td>
<td>3,666,784 8 6</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Old South Sea Annuities - do.</td>
<td>4,574,870 2 7</td>
<td>572,000 0 0</td>
<td>4,090,870 2 7</td>
</tr>
<tr>
<td>New South Sea Annuities - do.</td>
<td>3,128,330 2 10</td>
<td>285,800 0 0</td>
<td>2,845,530 2 10</td>
</tr>
<tr>
<td>South Sea Annuities, 1751 - do.</td>
<td>-</td>
<td>55,800 0 0</td>
<td>55,800 0 0</td>
</tr>
<tr>
<td>Debt due to the Bank of England do.</td>
<td>-</td>
<td>37,773 9 2</td>
<td>37,773 9 2</td>
</tr>
<tr>
<td>Bank Annuities, created in 1796 do.</td>
<td>-</td>
<td>437,000 0 0</td>
<td>437,000 0 0</td>
</tr>
<tr>
<td>Consolidated Annuities - do.</td>
<td>369,103,392 12 6</td>
<td>8,377,013 10 1</td>
<td>350,726,378 2 5</td>
</tr>
<tr>
<td>Reduced Annuities - do.</td>
<td>128,776,009 5 6</td>
<td>4,304,079 11 10</td>
<td>124,471,929 13 8</td>
</tr>
<tr>
<td>Total at £3 per cent</td>
<td>397,889,784 11 1</td>
<td>13,664,829 12 8</td>
<td>316,653,254 19 3</td>
</tr>
<tr>
<td>Annuities - at 3¾ per cent</td>
<td>15,083,949 13 9</td>
<td>599,641 0 0</td>
<td>14,484,308 13 9</td>
</tr>
<tr>
<td>Reduced Annuities at - do.</td>
<td>73,406,921 12 9</td>
<td>5,338,417 10 2</td>
<td>68,068,504 2 7</td>
</tr>
<tr>
<td>New 4 per cent Annuities</td>
<td>145,550,336 13 6</td>
<td>106,171 9 10</td>
<td>145,444,165 3 5</td>
</tr>
<tr>
<td>Annuities created 1826, at 4 per cent</td>
<td>8,360,000 0 0</td>
<td>-</td>
<td>8,360,000 0 0</td>
</tr>
<tr>
<td>Great Britain</td>
<td>772,840,992 11 12</td>
<td>20,130,759 12 8</td>
<td>752,710,233 19 3</td>
</tr>
</tbody>
</table>

| IN IRELAND. | |
|-------------||
|              | £.  s.  d.  | £.  s.  d. | £.  s.  d. |
| Irish Consolidated £3 per cent Annuities | 2,879,960 16 11 | 17 10 | 2,879,948 18 9 |
| Irish Reduced £5. per cent Annuities       | 931,123 3 9 | 2 10 | 931,119 3 9 |
| £3 per cent Debentures and Stock             | 14,156,924 10 1 | 672,901 16 6 | 13,483,948 13 7 |
| Reduced £2¾ per Annuities                      | 2,440,351 13 7 | 366,097 11 1 | 1,774,264 11 8 |
| Debt due to the Bank of Ireland at £4 per cent    | 1,615,384 12 4 | -    | 1,615,384 12 4 |
| New £4 per cent Annuities                        | 10,995,156 16 3 | 205 0 3 | 10,992,960 16 0 |
| Debt due to the Bank of Ireland at £3 per cent     | 1,015,384 12 4 | -    | 1,015,384 12 4 |
| Total Ireland                              | 32,721,545 4 11 | 1,040,038 6 6 | 31,681,508 18 5 |
| Total United Kingdom                      | 804,978,537 16 10 | 21,170,797 19 2 | 783,807,730 17 8 |

Note.—The above columns, 1 and 2, show the Totals of Debt of the United Kingdom, after deducting the Stock directed to be cancelled by various Acts of Parliament, and by redemption of Land Tax, amounting to... £84,858,784 1 7
and IRELAND, and of the CHARGE thereupon at the 5th January, 1827, including 7,500,000l, raised in 1824.

### CHARGE.

<table>
<thead>
<tr>
<th>Item</th>
<th>In Great Britain</th>
<th>In Ireland</th>
<th>Total Annual Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sinking Fund.</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annual Interest on Stock standing in the names of the Commissioners</td>
<td>4,840,000 0 0</td>
<td>160,000 0 0</td>
<td></td>
</tr>
<tr>
<td>Long Annuities - - - - - - - - - - - - - - - - - - - - - - - - - - - -</td>
<td>688,104 16 10</td>
<td>36,402 5 10</td>
<td></td>
</tr>
<tr>
<td></td>
<td>8,350 18 8</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5,476,453 15 7</td>
<td>196,402 5 10</td>
<td></td>
</tr>
<tr>
<td><strong>Debt due to the Public Creditor.</strong></td>
<td>54,813,592 14 1</td>
<td>1,169,419 17 9</td>
<td></td>
</tr>
<tr>
<td>Annual Interest on Unredeemed Debt</td>
<td>1,338,301 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Life Annuities payable at the Exchequer, English</td>
<td>85,377 8 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do. - Irish</td>
<td>35,476 18 7</td>
<td>7,038 0 9</td>
<td></td>
</tr>
<tr>
<td></td>
<td>25,907,198 1 3</td>
<td>1,176,457 18 6</td>
<td></td>
</tr>
<tr>
<td><strong>Annual Interest on Stock transferred to the Commissioners for the</strong></td>
<td>9,089 18 11 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Redemption of Land Tax under Schedules C. D. 1 &amp;</strong></td>
<td>228,269 8 9</td>
<td>377 10 1</td>
<td></td>
</tr>
<tr>
<td><strong>D. 2, 55 Geo. 3, c. 113</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Management.</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>The Trustees of Military and Naval Pensions and Civil Superannuations</strong></td>
<td>2,800,000 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Charge, including Sinking Fund and Pensions.</strong></td>
<td>34,471,013 2 0</td>
<td>1,273,657 14 6</td>
<td>35,844,680 16 7</td>
</tr>
</tbody>
</table>

The Annual Sum of 8,000,000l, directed to be issued per 4 Geo. 4, c. 19, towards the reduction of the National Debt of the United Kingdom.
**ABSTRACT.**

<table>
<thead>
<tr>
<th>CAPITALE transferred to the Commissioners</th>
<th>CAPITALE unredeemed</th>
</tr>
</thead>
<tbody>
<tr>
<td>£. s. d.</td>
<td>£. s. d.</td>
</tr>
<tr>
<td>Great Britain</td>
<td>773,949,098 11 3½</td>
</tr>
<tr>
<td></td>
<td>20,150,759 12 6</td>
</tr>
<tr>
<td></td>
<td>753,110,329 19 32</td>
</tr>
<tr>
<td></td>
<td>25,916,886 0 2½</td>
</tr>
<tr>
<td></td>
<td>276,859 6 2½</td>
</tr>
<tr>
<td></td>
<td>5,476,435 15 7½</td>
</tr>
<tr>
<td>(a)</td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td>39,753,545 4 11</td>
</tr>
<tr>
<td></td>
<td>1,140,088 6 6</td>
</tr>
<tr>
<td></td>
<td>51,691,506 18 5</td>
</tr>
<tr>
<td></td>
<td>1,176,457 18 6½</td>
</tr>
<tr>
<td></td>
<td>797 10 1½</td>
</tr>
<tr>
<td></td>
<td>196,402 5 10½</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>804,972,537 16 10½</td>
</tr>
<tr>
<td></td>
<td>21,170,797 19 2</td>
</tr>
<tr>
<td></td>
<td>783,300,739 17 8½</td>
</tr>
<tr>
<td></td>
<td>27,092,745 18 9½</td>
</tr>
<tr>
<td></td>
<td>279,066 16 4</td>
</tr>
<tr>
<td></td>
<td>5,672,858 1 5½</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>The Trustees of Military and Naval Pensions and Civil Superannuations</td>
<td>2,800,000 0 0</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>29,892,745 19 2½</td>
</tr>
<tr>
<td></td>
<td>279,066 16 4</td>
</tr>
<tr>
<td></td>
<td>5,672,858 1 5½</td>
</tr>
<tr>
<td></td>
<td>35,544,670 16 7</td>
</tr>
</tbody>
</table>

Non-assented £4 per cent, vested in the Commissioners as £3½ per cent, 5 Geo. 4, c. 43 ...... 6,149,345 17 4
Purchased with the Sinking Fund .......... 11,639,756 7 6
Transferred for Life Annuities .......... 2,308,234 0 0
Stock unclaimed, 10 years and upwards .... 209,723 9 0
Purchased with Unclaimed Dividends .......... 540,230 0 0
Transferred for Redemption of Land Tax, under Schedules C. D. 1, and D. 2 .......... 303,998 5 4

**TOTAL transferred to the Commissioners, as above ...... 21,170,797 19 2**

(e) Chargeable with £5,802,250. 12s. 6d. Life Annuities, per 48 Geo. 3, c. 142.
Do, with the Sum of £81,000 Annuities for a Term of Years to the Trustees of the Waterloo Fund, per 59 Geo. 5, c. 34, payable by sundry Half-yearly Installments.

Also with the Payment of £6,503,245 17s. 4d. (by Quarterly Installments), being part of £6,149,345 17s. 4d. Non-assented £4 per cent, vested in the Commissioners as £3½ per cent, per 5 Geo. 4, c. 43.

National Debt Office, 7th February, 1837.

S. HIGHAM, Compt. Gen.
An Account of the UNFUNDED DEBT of GREAT BRITAIN and IRELAND, and of the Demands outstanding on 5th January, 1827.

<table>
<thead>
<tr>
<th>Description</th>
<th>Provided</th>
<th>Unprovided</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exchequer Bills, exclusive of £459,000 issued for paying off £4 per cent, the payment of which is charged on the Sinking Fund</td>
<td>773,650 0 0</td>
<td>35,793,300 0 0</td>
<td>36,566,950 0 0</td>
</tr>
<tr>
<td>Sums remaining unpaid, charged upon aids granted by Parliament</td>
<td>3,282,938 3 8½</td>
<td>-</td>
<td>3,282,938 3 8½</td>
</tr>
<tr>
<td>Advances made out of the Consolidated Fund in Ireland, towards the Supplies which are to be repaid to the Consolidated Fund, out of the Ways and Means in Great Britain</td>
<td>246,417 10 4</td>
<td>-</td>
<td>246,417 10 4</td>
</tr>
<tr>
<td><strong>Total Unfunded Debt, and Demands outstanding</strong></td>
<td>4,301,885 14 0½</td>
<td>23,793,300 0 0</td>
<td>28,095,185 14 0½</td>
</tr>
<tr>
<td>Ways and Means</td>
<td>6,383,649 15 0½</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Surplus Ways and Means</strong></td>
<td>81,754 1 0</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Exchequer Bills to be issued to complete the Charge upon the Consolidated Fund</td>
<td>-</td>
<td>5,708,718 11 0½</td>
<td>5,708,718 11 0½</td>
</tr>
</tbody>
</table>

Whitbread, Treasury Chambers, 2
9th February, 1827.

J. C. HERRIES.
An Account showing how the Monies given for the Service of the United Kingdom of Great Britain and Ireland, for the Year 1826, have been disposed of; distinguished under their several Heads; to 6th January, 1827.

<table>
<thead>
<tr>
<th>SERVICES</th>
<th>Voted or Granted</th>
<th>Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Navy</td>
<td>£6,136,004 6 10</td>
<td>£5,511,069 0 10</td>
</tr>
<tr>
<td>Ordnance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forces</td>
<td>£7,711,689 3 11</td>
<td>£6,813,403 2 2</td>
</tr>
<tr>
<td>Civil Contingencies, for the year 1826</td>
<td>300,000 0 0</td>
<td>238,697 0 34</td>
</tr>
<tr>
<td>Royal Military College</td>
<td>13,135 11 10</td>
<td>13,135 11 10</td>
</tr>
<tr>
<td>Royal Military Asylums</td>
<td>25,545 18 9</td>
<td>14,000 0 0</td>
</tr>
<tr>
<td>Salaries and Allowances of the Officers of the Houses of Lords and Commons</td>
<td>25,000 0 0</td>
<td>17,000 0 0</td>
</tr>
<tr>
<td>Expenses of the Houses of Lords and Commons</td>
<td>20,300 0 0</td>
<td>20,300 0 0</td>
</tr>
<tr>
<td>To make good the Deficiency of the Pay Fund in the Departments of the Treasury, Home Secretary of State, Foreign Secretary of State, Secretary of State for the Colonies, Privy Council, and the Committee of Privy Council for Trade</td>
<td>98,517 0 0</td>
<td>71,829 18 11</td>
</tr>
<tr>
<td>Contingent Expenses and Messengers' Bills in the Departments of the Treasury, Home Secretary of State, Foreign Secretary of State, Secretary of State for the Colonies, Privy Council, and the Committee of Privy Council for Trade</td>
<td>72,080 0 0</td>
<td>67,679 17 4</td>
</tr>
<tr>
<td>Salaries of certain Officers, and Expenses of the Court and Receipt of the Exchequer</td>
<td>6,700 0 0</td>
<td>6,700 0 0</td>
</tr>
<tr>
<td>Salaries or Allowances granted to certain Professors in the Universities of Oxford and Cambridge, for reading Courses of Lectures</td>
<td>958 5 0</td>
<td>958 5 0</td>
</tr>
<tr>
<td>Salaries of the Commissioners of the Insolvent Debtors Court, of their Clerks, and the Contingent Expenses of their Office; and also of the Expenses attendant upon the Circuits</td>
<td>15,870 0 0</td>
<td>8,953 9 6</td>
</tr>
<tr>
<td>Salaries of the Officers and the Contingent Expenses of the Office for the Superintendence of Aliens, and also the Superannuations or retired Allowances to Officers formerly employed in that Service</td>
<td>4,872 0 0</td>
<td>4,872 0 0</td>
</tr>
<tr>
<td>Usual Allowances to Protestant Dissenting Ministers in England, poor French Protestant Refugees Clergy, poor French Protestant Refuges Lally, and sundry small Charitable and other Allowances to the Poor of St. Martin's-in-the-Fields, and others...</td>
<td>6,112 7 10</td>
<td>2,887 13 6</td>
</tr>
<tr>
<td>Expenses of Works and Repairs of Public Buildings</td>
<td>38,000 0 0</td>
<td>28,333 14 2</td>
</tr>
<tr>
<td>Expense of the Works at the Royal Harbour of George the Fourth, at Kingstown (formerly Dublinery)</td>
<td>45,000 0 0</td>
<td>15,000 0 0</td>
</tr>
<tr>
<td>Expense of Printing Acts of Parliament, and Bills, Reports, and other Papers, for the two Houses of Parliament</td>
<td>109,300 0 0</td>
<td>38,625 14 44</td>
</tr>
<tr>
<td>Expenses incurred in 1826, for Printing, by order of the Commissioners for carrying into execution the Measures recommended by the House of Commons, respecting the Records of the Kingdom</td>
<td>7,500 0 0</td>
<td>1,815 0 10</td>
</tr>
<tr>
<td>Expense of providing Stationery, and of Printing and Binding, for the several Public Departments of Government</td>
<td>109,000 0 0</td>
<td>70,600 0 0</td>
</tr>
<tr>
<td>Extraordinary Expenses of the Mint in the Gold Coinage</td>
<td>24,000 0 0</td>
<td>24,000 0 0</td>
</tr>
<tr>
<td>To make good the Loss upon the Irish Silver Tokens already recoined, and to be recoined</td>
<td>23,000 0 0</td>
<td>23,000 0 0</td>
</tr>
<tr>
<td>Extraordinary Expenses that may be incurred for Prosecutions, &amp;c. relating to the Coin of this Kingdom</td>
<td>5,000 0 0</td>
<td>5,000 0 0</td>
</tr>
<tr>
<td>Extraordinary Expenses in the Department of the Lord Chamberlain of his Majesty's Household, for Fittings and Furniture, to the two Houses of Parliament</td>
<td>8,700 0 0</td>
<td>8,700 0 0</td>
</tr>
<tr>
<td>Expense of Law Charges</td>
<td>18,000 0 0</td>
<td>2,880 0 0</td>
</tr>
</tbody>
</table>
## CLASS VI.—DISPOSITION OF GRANTS.

<table>
<thead>
<tr>
<th>SERVICES—continued.</th>
<th>SUMS Voted or Granted,</th>
<th>SUMS Paid.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>£.  s.  d.</td>
<td>£.  s.  d.</td>
</tr>
<tr>
<td>Expense attending the confining, maintaining, and employing Convicts at home and at Bermuda.</td>
<td>99,100 0 0</td>
<td>84,000 0 0</td>
</tr>
<tr>
<td>To pay Bills drawn from abroad by his Majesty’s Governors and others, for the Expenses incurred under the Act for the Abolition of the Slave Trade; and in conformity to the Orders in Council for the Support, &amp;c. of Captured Negroes, Free American Soldiers, &amp;c.</td>
<td>35,000 0 0</td>
<td>24,000 0 0</td>
</tr>
<tr>
<td>Bills drawn or to be drawn from New South Wales.</td>
<td>120,000 0 0</td>
<td>—</td>
</tr>
</tbody>
</table>

The following Services are directed to be paid, without any Fee or other Deduction whatsoever:

For defraying the Charge of the Civil Establishments under-mentioned; viz.

| Of the Bahamas Islands | 3,119 0 0 |
| Of Nova Scotia | 11,589 0 0 |
| Of New Brunswick | 5,847 0 0 |
| Of the Island of Bermuda | 4,109 10 0 |
| Of Prince Edward Island | 8,900 0 0 |
| Of Newfoundland | 11,135 0 0 |
| Of New South Wales and Van Diemen’s Land | 11,942 0 0 |
| Of Sierra Leone | 15,465 5 0 |
| Of the Civil and Military Establishments of the African Forts | 45,110 10 3 |

To make Compensation to the Commissioners appointed by several Acts for inquiring into the Collection and Management of the Revenue in Ireland, and the several Establishments connected therewith, and into certain Revenue Departments in Great Britain, for their salutability, care, and pains, in the execution of the Trusts reposed in them by Parliament.

Compensation to the Commissioners for inquiring into the nature and extent of the Instruction afforded by the several Institutions in Ireland, established for the purpose of Education, for their salutability, care, and pains, in the execution of the Trusts reposed in them...

Charge of the Allowances or Compensations granted or allowed as Retired Allowances to persons formerly employed in Public Offices or Departments, or in the Public Service.

To enable His Majesty to grant relief, in 1826, to Teniente Corsoino Emigrants, Dutch Naval Officers, St. Domingo Servitors, and others who have hitherto received Allowances from his Majesty, and who, from Services performed or Losses sustained in the British Service, have special Claims upon his Majesty’s justice and liberality.

National Vaccine Establishment.

Institution called “The Refuge for the Destitute”.

Relief of American Loyalists.

Expense of confining and maintaining Criminal Lunatics.

Expense of Works carrying on at the College of Edinburgh...

Expense of sundry Works executing at Port Patrick Harbour.

Expense of sundry Works executing at Donaghadoe Harbour...

Expenses of Buildings at the British Museum...

Expense of the New Buildings at the Offices of the Privy Council, and of the Committee of the Privy Council for Trade...

Expense of Repairs and Works to be executed at Windsor...

Expenses incurred by the Commissioners for the Improvement of the Streets and Places near to Westminster Hall, and the two Houses of Parliament; from 1811 to 1826...

Expense of Works on the Roads and Harbours of Holyhead and Howth, and the Charges of the Establishment employed under the Commissioners of those Roads and Harbours...

Purchase of Bangor Ferry, in lieu of which a Bridge has been erected over the Menai Straits.
### Finance Accounts:

#### Services—Continued.

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenses of improving and rendering more safe the Navigation of the Monal Straits</td>
<td>8,000</td>
</tr>
<tr>
<td>For completing the building of a Bridge over the River Conway, and for the purchase of Conway Ferry</td>
<td>14,994</td>
</tr>
<tr>
<td>For his Majesty's Foreign and other Secret Services</td>
<td>56,000</td>
</tr>
<tr>
<td>Expense of forming an Index to Twenty Volumes of the Journals of the House of Commons, commencing with the first Parliament of the United Kingdom of Great Britain and Ireland, and extending to the end of the Reign of his late Majesty and the Accession of his present Majesty, and also the Expense of incorporating the Indexes of the subsequent Volumes of the Journals of the House of Commons, to the close of the Session 1824</td>
<td>10,180</td>
</tr>
<tr>
<td>To pay in the year 1826, the Salaries and Incidental Expenses of the Commissioners appointed on the part of his Majesty, under the Treaties with Spain, Portugal, and the Netherlands, for preventing the illegal Traffic in Slaves, and in pursuance of the Acts for carrying the said Treaties into effect</td>
<td>18,000</td>
</tr>
<tr>
<td>Expenses of the Missions and Special Commissions to the New States of America</td>
<td>60,080</td>
</tr>
<tr>
<td>Salaries and Contingent Expenses of his Majesty's Consuls General, Consuls and Vice-consuls in Spanish America</td>
<td>40,000</td>
</tr>
<tr>
<td>To provide for the Salaries of his Majesty's Consuls General and Consuls abroad, for 1826; for all contingent Charges and Expenses connected with the Public Duties and Establishments of such Consul General and Consuls, and also to pay the amount of Superannuation Allowances granted to retired Consuls</td>
<td>52,370</td>
</tr>
<tr>
<td>Expense of certain Colonial Services</td>
<td>2,446</td>
</tr>
<tr>
<td>Expense of the Society for the Propagation of the Gospel in several of the Colonies of his Majesty, and for the Ecclesiastical Board</td>
<td>16,832</td>
</tr>
<tr>
<td>Expenditure on improving the Water communication between Montreal and the Ottawa, and from the Ottawa to Kingston</td>
<td>15,000</td>
</tr>
<tr>
<td>Charge of providing Stores for the Engineer Department in New South Wales and Van Diemen's Land; Bedding and Clothing for Seamen, Clothing and Tools for the liberated Africans at Sierra Leone, and Indian Presents for Canada</td>
<td>49,763</td>
</tr>
<tr>
<td>For the purpose of defraying the Expense of the British Museum.</td>
<td>13,992</td>
</tr>
<tr>
<td>For the Purchase of Pictures for the National Gallery</td>
<td>9,000</td>
</tr>
<tr>
<td>For defraying the Charge of the following Services in Ireland for 1826; which are directed to be paid Net in British Currency.</td>
<td></td>
</tr>
<tr>
<td>Protestant Charter Schools of Ireland</td>
<td>19,500</td>
</tr>
<tr>
<td>Society for Discouraging Vice</td>
<td>9,000</td>
</tr>
<tr>
<td>Society for promoting the Education of the Poor in Ireland</td>
<td>20,000</td>
</tr>
<tr>
<td>To be applied in aid of the Funds, either under the direction of the Society for the Education of the Poor in Ireland, or for such other purposes of Education as may appear to the Lord Lieutenant of Ireland most advisable</td>
<td>5,000</td>
</tr>
<tr>
<td>Foundling Hospital in Dublin</td>
<td>31,000</td>
</tr>
<tr>
<td>House of Industry, Hospitals and Asylums for Indigent Children in Dublin</td>
<td>20,050</td>
</tr>
<tr>
<td>Richmond Lunatic Asylum in Dublin</td>
<td>7,000</td>
</tr>
<tr>
<td>Hibernian Society for Soldiers Children</td>
<td>7,000</td>
</tr>
<tr>
<td>Hibernian Marine Society</td>
<td>7,500</td>
</tr>
<tr>
<td>Female Orphan House in Dublin</td>
<td>1,600</td>
</tr>
<tr>
<td>Westminster Lunatic Hospital</td>
<td>1,600</td>
</tr>
<tr>
<td>Westminster Lying-in Hospital in Dublin</td>
<td>4,665</td>
</tr>
<tr>
<td>Dr. Stevens's Hospital in Dublin</td>
<td>1,663</td>
</tr>
<tr>
<td>Fever Hospital and House of Recovery</td>
<td>4,810</td>
</tr>
<tr>
<td>Hospital of Incurables in Dublin</td>
<td>4,665</td>
</tr>
<tr>
<td>Establishment of the Roman Catholic Seminary in Ireland</td>
<td>8,948</td>
</tr>
<tr>
<td>Cork Institution</td>
<td>3,563</td>
</tr>
<tr>
<td>Dublin Society</td>
<td>7,000</td>
</tr>
<tr>
<td>Cutlery for the White Streets in Dublin</td>
<td>10,000</td>
</tr>
<tr>
<td>Farming Society of Ireland</td>
<td>2,500</td>
</tr>
</tbody>
</table>
### CLASS VI—DISPOSITION OF GRANTS.

#### SERVICES—continued.

<table>
<thead>
<tr>
<th>Description</th>
<th>lb. s. d.</th>
<th>lb. s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Royal Irish Academy</td>
<td>300 0 0</td>
<td>300 0 0</td>
</tr>
<tr>
<td>Commissioners of Charitable Donations and Bequests in Ireland</td>
<td>700 0 0</td>
<td>700 0 0</td>
</tr>
<tr>
<td>Linen Board of Ireland</td>
<td>19,398 9 2</td>
<td>19,398 9 2</td>
</tr>
<tr>
<td>Board of Works in Ireland</td>
<td>24,150 0 0</td>
<td>12,841 10 2</td>
</tr>
<tr>
<td>Printing, Stationery, and other Disbursements of the Public Offices</td>
<td></td>
<td></td>
</tr>
<tr>
<td>of Dublin Castle, of the Deputy Pursuants and Messengers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>attending the said Offices, and also of Superannuated Allowances in the</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chief Secretary’s Office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expense of publishing Proclamations and other Matters of a public nature</td>
<td>15,886 0 0</td>
<td>12,318 11 9</td>
</tr>
<tr>
<td>in the Dublin Gazette and other Newspapers in Ireland</td>
<td>6,000 0 0</td>
<td>4,483 16 0</td>
</tr>
<tr>
<td>Expense of printing Statutes for the use of the Magistrates and Public</td>
<td>4,615 0 0</td>
<td>3,503 2 8</td>
</tr>
<tr>
<td>Officers in Ireland</td>
<td>35,935 0 0</td>
<td>35,935 0 0</td>
</tr>
<tr>
<td>Criminal Prosecutions, and other Law Expenses in Ireland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries of the Lottery Officers in Ireland</td>
<td>13,973 12 3</td>
<td>9,619 7 9</td>
</tr>
<tr>
<td>Expense of the Establishment, and for the Maintenance of Island Navigation</td>
<td>1,072 12 4</td>
<td>1,072 12 4</td>
</tr>
<tr>
<td>Police and Watch Establishments of Dublin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries and Expenses of the Commissioners for inquiring into the Duties</td>
<td></td>
<td></td>
</tr>
<tr>
<td>and Fees of the Officers of Courts of Justice in Ireland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries and Expenses of the Commissioners for inquiring into the Land</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue of the Crown in Ireland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries and Expenses of the Record Commissioners in Ireland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expense of carrying on certain Public Works in Ireland</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>17,942,966 18 6</td>
<td>15,183,541 1 1</td>
</tr>
</tbody>
</table>

To pay off and discharge Exchequer Bills, and that the same be issued and applied towards paying off and discharging any Exchequer Bills charged on the Aids or Supplies of the years 1825 and 1826, now remaining unpaid and unprovided for.  

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>£20,000,000 0 0</td>
<td>To pay off and discharge Exchequer Bills, issued pursuant to several Acts for carrying on Public Works and Fisheries, and for building Churches, outstanding and unprovided for.</td>
</tr>
<tr>
<td>271,650 0 0</td>
<td></td>
</tr>
<tr>
<td>£35,496,400 0 0</td>
<td></td>
</tr>
<tr>
<td>£36,479,941 1 1</td>
<td></td>
</tr>
</tbody>
</table>
FINANCE ACCOUNTS:

PAYMENTS FOR OTHER SERVICES,
Not being part of the Supplies granted for the Service of the Year.

<table>
<thead>
<tr>
<th>Description</th>
<th>Sum Paid to 30th January 1822</th>
<th>Estimated further Miscellaneous Payments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governor Charles Buckingham, Esq. on his Salary for additional</td>
<td>£ 150 0 0</td>
<td>0 50 0 0</td>
</tr>
<tr>
<td>trouble in preparing Exchequer Bills, pursuant to an Act</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenses in the Office of the Commissioners for inquiring into the</td>
<td>£ 4,000 0 0</td>
<td></td>
</tr>
<tr>
<td>Collection and Management of the Revenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenses in the Office of the Commissioners for issuing Exchequer</td>
<td>£ 4,000 0 0</td>
<td></td>
</tr>
<tr>
<td>Bills, pursuant to Acts 57 Geo. 3, c. 54 &amp; 124, and 3 Geo. 6, c. 86</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenses incurred in passing the Act 5 Geo. 4, c. 90, for</td>
<td>£ 1,232 17 6</td>
<td></td>
</tr>
<tr>
<td>building additional Churches in Scotland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bank of England, Discount on the Contributions towards funding</td>
<td>£ 33,067 1 3</td>
<td></td>
</tr>
<tr>
<td>£ 3,000,000 in Exchequer Bill ; also 1825</td>
<td>£ 3,200 0 0</td>
<td></td>
</tr>
<tr>
<td>By Interest on Exchequer Bills ; via.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>£ 15,000,000 per Act 5 Geo. 4, c. 115, charged on Supplies, 1825</td>
<td>£ 96,489 18 0</td>
<td></td>
</tr>
<tr>
<td>20,000,000 per Act 6 Geo. 4, c. 3</td>
<td>£ 500,000 0 0</td>
<td></td>
</tr>
<tr>
<td>10,500,000 per Act 6 Geo. 4, c. 70 - ditto</td>
<td>£ 173,570 2 2</td>
<td></td>
</tr>
<tr>
<td>Total Payments for Services not voted</td>
<td>£ 782,470 17 6</td>
<td>£ 36,517 1 3</td>
</tr>
<tr>
<td>Amount of Sums voted</td>
<td>£ 819,787 18 9</td>
<td>£ 46,716,614 18 62</td>
</tr>
<tr>
<td>Total Sums voted, and Payments for Services not voted</td>
<td>£ 49,533,402 17 54</td>
<td></td>
</tr>
</tbody>
</table>

WAYS AND MEANS

for answering the foregoing Services.

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trustees for the Payment of Naval and Military Pensions, and Civil</td>
<td>4,180,000 0 0</td>
</tr>
<tr>
<td>Superannuations, per Act 5 Geo. 4, c. 51</td>
<td></td>
</tr>
<tr>
<td>East India Company, per Act 4 Geo. 4, c. 71</td>
<td>60,000 0 0</td>
</tr>
<tr>
<td>Sums to be brought from the Consolidated Fund, per Act 7 Geo. 4, c. 1</td>
<td>5,000,000 0 0</td>
</tr>
<tr>
<td>Ditto - - ditto - - 7 Geo. 4, c. 79 - - 8,800,000 0 0</td>
<td></td>
</tr>
<tr>
<td>Surplus Ways and Means, per Act 7 Geo. 4, c. 79</td>
<td>257,931 13 1</td>
</tr>
<tr>
<td>Interest on Land Tax redeemed by Money</td>
<td>14 17 10</td>
</tr>
<tr>
<td>Exchequer Bills funded, pursuant to Act 7 Geo. 4, c. 39</td>
<td>8,083,283 5 0</td>
</tr>
<tr>
<td>Repayments on account of Exchequer Bills issued pursuant to two Acts of</td>
<td>100,000 7 2</td>
</tr>
<tr>
<td>the 57th year of his late Majesty, for carrying on Public Works and</td>
<td></td>
</tr>
<tr>
<td>Fisheries in the United Kingdom</td>
<td></td>
</tr>
<tr>
<td>Unclaimed Dividends, &amp;c. after deducting Repayments to the Bank of England,</td>
<td>0 68,542 7 5</td>
</tr>
<tr>
<td>for deficiencies of Balance in their hands</td>
<td></td>
</tr>
<tr>
<td>Exchequer Bills voted in Ways and Means; via 7 Geo. 4, c. 2 £ 10,000,000 0 0</td>
<td>96,483,717 10 6</td>
</tr>
<tr>
<td>7 Geo. 4, c. 50 ... 13,500,000 0 0</td>
<td></td>
</tr>
<tr>
<td>Total Ways and Means</td>
<td>46,483,717 10 6</td>
</tr>
<tr>
<td>Total Sums voted, and Payments for Services not voted</td>
<td>49,533,402 17 54</td>
</tr>
</tbody>
</table>

SURPLUS Ways and Means

Whitehall, Treasury Chambers, 2 8th February, 1827.

J. C. HERBERTS.
CLASS VII.—TRADE AND NAVIGATION.

CLASS VII.—ARREARS AND BALANCES.

[This Head, which occupies 108 folio pages in the Finance Accounts, is here omitted, as not being of general utility.]

TRADE OF THE UNITED KINGDOM.

An Account of the Value of all Imports into, and of all Exports from, the United Kingdom of Great Britain and Ireland, during each of the Three Years ending the 5th January, 1827 (calculated at the Official Rates of Valuation, and stated exclusive of the Trade between Great Britain and Ireland reciprocally).

<table>
<thead>
<tr>
<th>YEARS ending 5th January.</th>
<th>VALUE OF IMPORTS INTO the United Kingdom, calculated at the Official Rates of Valuation.</th>
<th>VALUE OF EXPORTS FROM the UNITED KINGDOM, calculated at the Official Rates of Valuation.</th>
<th>VALUE of the Produce and Manufactures of the United Kingdom exported according to the Real and Declared Value thereof.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1825</td>
<td>£ 37,565,176 s. 4. d.</td>
<td>£ 10,804,785 s. 6. d.</td>
<td>£ 28,940,403 s. 1. 0. d.</td>
</tr>
<tr>
<td>1826</td>
<td>£ 44,008,507 s. 7. d.</td>
<td>£ 9,159,494 s. 1. 8.</td>
<td>£ 34,870,043 s. 1. 11.</td>
</tr>
<tr>
<td>1827</td>
<td>£ 37,714,021 s. 1. 5.</td>
<td>£ 10,079,697 s. 8.</td>
<td>£ 31,535,333 s. 10. 11.</td>
</tr>
</tbody>
</table>

FOREIGN TRADE OF GREAT BRITAIN.

An Account of the Value, as calculated at the Official Rates, of all Imports into, and of all Exports from, Great Britain, during each of the Three Years ending the 5th January, 1827; showing the Trade with Foreign Parts separately from the Trade with Ireland; and distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandise Exported:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from Great Britain, according to the Real and Declared Value thereof.

TRADE OF GREAT BRITAIN WITH FOREIGN PARTS:

<table>
<thead>
<tr>
<th>YEARS ending 5th January.</th>
<th>VALUE OF IMPORTS INTO Great Britain, calculated at the Official Rates of Valuation.</th>
<th>VALUE OF EXPORTS FROM GREAT BRITAIN, calculated at the Official Rates of Valuation.</th>
<th>VALUE of the Produce and Manufactures of the United Kingdom Exported from Great Britain, according to the Real and Declared Value thereof.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1824</td>
<td>£ 36,166,448 s. 0. d.</td>
<td>£ 10,188,596 s. 9. d.</td>
<td>£ 25,977,852 s. 1. 9.</td>
</tr>
<tr>
<td>1825</td>
<td>£ 44,081,056 s. 8. d.</td>
<td>£ 9,155,305 s. 5. d.</td>
<td>£ 38,936,350 s. 0. 0.</td>
</tr>
<tr>
<td>1826</td>
<td>£ 56,069,999 s. 1. 12.</td>
<td>£ 10,009,189 s. 1. 6.</td>
<td>£ 46,040,810 s. 7. 4.</td>
</tr>
</tbody>
</table>

TRADE OF IRELAND.

An Account of the Value of all IMPORTS into, and of all EXPORTS from, IRELAND; during each of the Three Years ending 5th January 1847 (calculated at the Official Rates of Valuation, and stated exclusive of the Trade with GREAT BRITAIN); distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandise Exported:—also stating the Amount of the Produce and Manufactures of the United Kingdom Exported from IRELAND, according to the Real or Declared Value thereof.

<table>
<thead>
<tr>
<th>YEARS ENDING</th>
<th>VALUE of Imports INTO IRELAND, calculated at the Official Rates of Valuation.</th>
<th>VALUE OF EXPORTS FROM IRELAND, calculated at the Official Rates of Valuation.</th>
<th>VALUE OF the Produce and Manufactures of the United Kingdom, Exported from IRELAND, according to the Real or Declared Value thereof.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>£. s. d.</td>
<td>£. s. d.</td>
<td>£. s. d.</td>
</tr>
<tr>
<td></td>
<td>1,411,728 4 10s.</td>
<td>705,517 11 0s.</td>
<td>721,705 0 3s.</td>
</tr>
<tr>
<td></td>
<td>1,547,828 13 4s.</td>
<td>697,657 15 10s.</td>
<td>711,856 19 1s.</td>
</tr>
<tr>
<td></td>
<td>1,644,028 3 0s.</td>
<td>689,926 8 0s.</td>
<td>645,065 14 11s.</td>
</tr>
</tbody>
</table>

WILLIAM IRVING,
Inspector General of the Imports and Exports.

Inspector General's Office, Custom House, London, 2
24th March, 1827.
NAVIGATION OF THE UNITED KINGDOM.

NEW VESSELS BUILT.—An Account of the Number of Vessels, with the Amount of the Tonnage, that were built and registered in the several Ports of the British Empire, in the Years ending the 5th January 1825, 1826, and 1827, respectively.

<table>
<thead>
<tr>
<th>Year</th>
<th>Vessels</th>
<th>Tonnage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1825</td>
<td>799</td>
<td>91,083</td>
</tr>
<tr>
<td>1826</td>
<td>975</td>
<td>122,479</td>
</tr>
<tr>
<td>1827</td>
<td>1,115</td>
<td>118,963</td>
</tr>
</tbody>
</table>

In the Years ending the 5th January.

<table>
<thead>
<tr>
<th>Year</th>
<th>Vessels</th>
<th>Tonnage</th>
</tr>
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<tbody>
<tr>
<td>1825</td>
<td>38</td>
<td>2,156</td>
</tr>
<tr>
<td>1826</td>
<td>28</td>
<td>1,550</td>
</tr>
<tr>
<td>1827</td>
<td>24</td>
<td>2,171</td>
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<table>
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<th>Year</th>
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<tr>
<td>1825</td>
<td>342</td>
<td>50,522</td>
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<tr>
<td>1826</td>
<td>536</td>
<td>80,895</td>
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<td>1827</td>
<td>383</td>
<td>58,486</td>
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<table>
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<th>Year</th>
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<tr>
<td>1825</td>
<td>1,179</td>
<td>149,741</td>
</tr>
<tr>
<td>1826</td>
<td>1,539</td>
<td>204,924</td>
</tr>
<tr>
<td>1827</td>
<td>1,522</td>
<td>179,020</td>
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</table>

VESSELS REGISTERED.—An Account of the Number of Vessels, with the Amount of their Tonnage and the Number of Men and Boys usually employed in Navigating the same, that belonged to the several Ports of the British Empire, on the 30th September in the Year 1824, and on the 31st Dec. 1825 and 1826, respectively.

<table>
<thead>
<tr>
<th>Year</th>
<th>Vessels</th>
<th>Tonnage</th>
<th>Men</th>
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<tbody>
<tr>
<td>1824</td>
<td>20,803</td>
<td>321,935</td>
<td>149,742</td>
</tr>
<tr>
<td>1825</td>
<td>20,087</td>
<td>298,856</td>
<td>146,703</td>
</tr>
<tr>
<td>1826</td>
<td>20,469</td>
<td>319,069</td>
<td>149,894</td>
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<table>
<thead>
<tr>
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<th>Tonnage</th>
<th>Men</th>
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<tr>
<td>1824</td>
<td>477</td>
<td>26,561</td>
<td>3,806</td>
</tr>
<tr>
<td>1825</td>
<td>508</td>
<td>28,503</td>
<td>3,773</td>
</tr>
<tr>
<td>1826</td>
<td>499</td>
<td>29,998</td>
<td>3,565</td>
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<table>
<thead>
<tr>
<th>Year</th>
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<th>Tonnage</th>
<th>Men</th>
</tr>
</thead>
<tbody>
<tr>
<td>1824</td>
<td>3,496</td>
<td>51,173</td>
<td>15,089</td>
</tr>
<tr>
<td>1825</td>
<td>3,579</td>
<td>514,973</td>
<td>13,069</td>
</tr>
<tr>
<td>1826</td>
<td>3,657</td>
<td>624,183</td>
<td>14,077</td>
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</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Vessels</th>
<th>Tonnage</th>
<th>Men</th>
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</thead>
<tbody>
<tr>
<td>1824</td>
<td>24,776</td>
<td>859,587</td>
<td>169,673</td>
</tr>
<tr>
<td>1825</td>
<td>24,174</td>
<td>544,516</td>
<td>163,813</td>
</tr>
<tr>
<td>1826</td>
<td>24,425</td>
<td>635,644</td>
<td>167,836</td>
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</tbody>
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WILLIAM IRVING,
Inspector General of Imports and Exports.

FINANCE ACCOUNTS.

NAVIGATION OF THE UNITED KINGDOM—continued.

Vessels employed in the Foreign Trade.—An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys employed in Navigating the same (including their repeated Voyages) that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to all Parts of the World (exclusive of the intercourse between Great Britain and Ireland respectively) during each of the Three Years ending 5th January, 1837.

<table>
<thead>
<tr>
<th>Year ending</th>
<th>British and Irish vessels</th>
<th>Foreign vessels</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1835...</td>
<td>11,731</td>
<td>1,791,089</td>
<td>106,696</td>
</tr>
<tr>
<td>1836...</td>
<td>13,503</td>
<td>2,148,317</td>
<td>123,088</td>
</tr>
<tr>
<td>1837...</td>
<td>12,473</td>
<td>1,950,630</td>
<td>113,093</td>
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</tbody>
</table>

SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM, (Excluding the Intercourse between Great Britain and Ireland.)

<table>
<thead>
<tr>
<th>Year ending</th>
<th>British and Irish vessels</th>
<th>Foreign vessels</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1835...</td>
<td>10,136</td>
<td>1,657,270</td>
<td>103,065</td>
</tr>
<tr>
<td>1836...</td>
<td>10,945</td>
<td>1,793,842</td>
<td>109,657</td>
</tr>
<tr>
<td>1837...</td>
<td>10,844</td>
<td>1,797,685</td>
<td>105,198</td>
</tr>
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Inspectors General’s Office, Custom House, London, 10th March, 1837.

WILLIAM BRIGHT.
Inspectors General of Imports and Exports.
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February 1, 1828.

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RECENTLY PUBLISHED AND REPRINTED

BY

BALDWIN AND CRADOCK,

PATERNOSTER ROW, LONDON.

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