





WATERFORD MAIL

Bill was received, and the bill was ordered to be read a third time on Monday.

On the motion of Viscount MORPETH, the report on the Population (Ireland) Bill was received, and the bill was ordered to be read a third time next day.

LNEN & CO. MANUFACTURERS (IRELAND) BILL. The CHANCELLOR of the EXCHEQUER having moved that the house should go into committee on the Linen & Co. Manufacturers (Ireland) Bill.

Mr. WARBURTON said he hoped the bill would not be allowed to pass at this session. He was ready to admit that it contained some useful provisions, but he also found in it clauses of a very stringent nature, derived from an English act, passed so long ago as the year 1774, when measures of great rigor were not closely enough investigated or were permitted to pass with greater facility than at present (hear.)

Mr. LABOURER could assure his hon. friend that nothing could have induced him to propose the bill to the house if he was not persuaded that it had the entire concurrence of the manufacturers and the majority of the operatives engaged in the linen trade in Ireland. He had received the strongest representations that the present state of the law was most detrimental to the interests of the trade, and urgently demanded alteration (hear.)

There were no doubt objectionable clauses, but they could be amended in committee. The operatives of Ireland were strongly opposed to the wholesale embezzlement of goods.

Sir R. FERGUSON joined in the hope that the hon. gentleman would permit this bill to go into committee. The system of receiving houses in Ireland for embezzled goods was very extensive, and the power given to the constabulary was not too great for the occasion, and was necessary from the facility of shifting the goods from one head to another.

If this bill did not pass much of the work would be withdrawn from the weaver, and the manufacturers would eschew the trade entirely.

Captain JONES instanced a case where frauds had been committed by persons in the employ of a company who had employed 1,500 persons daily, and who declared that they would be compelled to withdraw from the trade from the embezzlement on the part of the workmen.

The stringency of the clauses was warranted by the frauds which had been perpetrated by the workmen who got the materials to their own houses. In the event of the bill not passing several thousands of the people would be discharged.

Mr. DUNBAR vindicated the stringency of the bill, and said that ample notice had been given to all parties in the different parts of Ireland, where masters and workmen had an opportunity of judging the provisions. The weavers formed a committee, and sent a deputation to London, and their objections were invariably regarded by the right hon. gentlemen opposite.

The clause objected to was at present the law in Ireland; and if the bill did not pass, thousands of persons would be thrown out of employment.

Mr. SHEIL—If any objection were suggested by his hon. friend to the clauses, his right hon. friend the President of the Board of Trade would give them the greatest attention in committee. The handloom weavers would be seriously injured by the bill not passing this session, and the whole trade would be thrown into the large factories from the frequency of embezzlement.

The character of the towns which sold these embezzled goods, which were of an inferior description, was commercially deteriorated, and he trusted that the hon. member for Bridport would withdraw his opposition.

Mr. WARBURTON assented conditionally. The house then went into committee. The preamble was postponed. Clauses 1 and 2, with amendments, were passed, as were clauses 3, 4, and 5.

The remaining clauses were then agreed to, the house resumed, and the report was ordered to be received on Monday next.

On the motion for going into committee on the Church Discipline Bill. Mr. WARBURTON objected to proceeding with it at present, as many of those clergymen affected by it were ignorant of its provisions.

He moved that it be considered that day three months. On a division the amendment was lost. Clauses 1 and 2 were agreed to without amendment. The bill was then amended pro forma, the Chairman reported progress, and obtained leave to sit next day.

The Militia Ballots Suspension Bill and the Militia Pay Bill were read a second time, and ordered to be committed next day.

On the motion of Mr. F. MAULE, the house resolved itself into a committee of the whole house, in order to pass a resolution on which to ground a bill to enable the Lord Commissioners of the Treasury to advance money to provide for the administration of justice in the borough of Birmingham.

The resolution was agreed to, and reported to the house. The report was ordered to be received next day.

delivery for crimes of any magnitude; the crime of high treason alone being excepted. That was the case in other reorders. He also held a civil court for the trial of causes of any amount, and sits for the trial of them. Their lordships would find the office was regulated by charter and by act of Parliament. By charter the recorder held four sessions in the year. By act of Parliament he held court for the discharge of prisoners eight times in the year, or every six weeks. But did the present recorder perform his duty? did he carry into effect the provisions of the act of Parliament? He did more—he held a court for the discharge of prisoners twelve times in the course of the year. Not only that, but he held four sessions for the trials of cases in which the parties were out on bail. He also held a session four times in the year for appeals against conviction. He also held four times in the year, a court for the trial of civil cases, under the jurisdiction of the court, to any amount, so that he held 28 or 32 sessions during the year. And in what manner did he conduct himself? He never quitted the court until he had disposed of every case, and every prisoner. He (Lord Lyndhurst) pledged himself to the strict correctness of this statement—except those cases which were necessarily postponed on account of the absence of material witnesses. What then, was the reason for interfering with his office? Why should the Lord Lieutenant dictate to him the times for holding his court any more than he did to the superior judges? Who could best judge of the proper times for holding the court—the judge, who was conversant with all the circumstances, and knew when it was necessary, or the Lord Lieutenant, or rather the Irish Secretary, writing in his chamber? Could any man doubt about it. But it was said, "the judges are dissatisfied with the mode of proceeding in that court." That was not correct.

The proceeding at large were satisfied with the manner in which the business was conducted, and with the frequency of the sittings, and the judges also were satisfied, with only one exception. And who was that single exception? Mr. Justice Perrin. He did not wish to speak of that learned judge with anything but respect, but we all knew he was a political partisan. That he had carried on a controversy with the Recorder of Dublin, and that on a petition from a party in that city, he was declared to have been convicted of bribery at the election, and to be incapable of sitting in that parliament. When it was found that all the judges were satisfied, the only one dissenting being the learned individual to whom he referred, he thought that lordships would not pay much attention to his wishes.

With regard to the evidence which had been taken, he would only say that it was *ex parte*, and he was too well acquainted with the administration of justice to place much reliance on the evidence of witnesses who had not been cross examined. But what said the commissioners? They expressed their entire satisfaction with matters as they stood. Why, then, was this bill different from the bill which their lordships had sanctioned last year? Why did it differ from that of 1839, which they had also sanctioned? With these few observations, he begged leave to propose that the words which he had referred to be omitted from the clause.

Lord DUNCANNON said that in 1835 the bill was as it stood now. In 1836 and 1837 it was the same. In 1838 he admitted the bill was altered.

Lord LYNDHURST—Yes; that was after the agreement. Lord DUNCANNON—In 1839 the bill was sent up to that house in the form in which it stood now. It might have been amended by their lordships, but it came up in the same way. He did not know why the Recorder of Dublin should not be placed under the same restrictions as the recorders in other parts of Ireland.

The Earl of HADDINGTON said it would be only necessary for him to say a few words, as his noble friend had explained the matter entirely to the satisfaction of the hon. member for Cork, and the Recorder of Dublin. He did not hold a court for the trial of damages; and regular sessions of oyer and terminer and jail delivery, as the Recorder of Dublin did. With respect to the situation of the jail of Dublin, independent of the 32 sittings mentioned by his noble and learned friend, the judges who held sittings in the same court, the noble lord opposite wished to know in what the Recorder of Dublin differed from others. He would tell him—it was in his being a member of Parliament, and the object of the provision was to oust him. If it was desirable that the Recorder of Dublin should sit in Parliament, a bill be brought in, or a clause introduced in this bill, and let it be done openly; but let it not be attempted in this covert way.

The Marquis of LANSDOWNE said this subject having been revived, and revived, too, by the noble and learned lord, himself a distinguished member of the profession, some of the benefits of which it was proposed by this provision to secure to the population of Dublin, he was not prepared to go to at large into the question, but it was his duty to point out to the house what it was they were voting. He had heard with surprise from his noble friend opposite that there was this difference between the recorder of Cork and Dublin, that the former was comparatively an insignificant person.

The Earl of HADDINGTON—I never mentioned the word. The Marquis of LANSDOWNE—Then the words were, that it was not an office of the same magnitude or consequence. It was because this was an office of great magnitude—its magnitude being measured by the services which the recorder ought to render to the corporation of Dublin—but it was the duty of that and the house of parliament to see that the recorder, who was paid a large salary for the performance of his duties, should discharge them in a way not inferior to that in which they were executed in other cities where those duties were differently remunerated. He said nothing, he was sure he meant nothing, disrespectful to the learned gentleman who was recorder of Dublin, and who, he had no doubt, discharged his duties most fully, most honestly, and most ably, but he was not to be told that because the recorder of Dublin was not to be a member of parliament, the people of Dublin were to be deprived of the services of a recorder. His noble friend said that it was because the recorder was a member of parliament that this objection was made. He cared not whether the recorder was a member of parliament or not, but what he cared for was, that there should be an efficient recorder of Dublin. If he could consistently with the effectual discharge of his judicial duties sit in parliament, let him do so; but it was the duty of that house to legislate, as it had done in every one of the bills, except one, and not to make an exception, for the purpose of facilitating the non-discharge of the duties of a great legal officer. Would their lordships, he asked them, go before the public with such a decision as this? The population of Dublin had a weekly discharge of prisoners. The population of Dublin had not that benefit, and he contended that they were entitled to that benefit. He had nothing to say against the Recorder of Dublin. He was happy to learn that he was a gentleman eminent for his qualifications; but what he (Lord Lansdowne) asked of their lordships was, that an understanding of which he had never before heard, and to which, most certainly, the population of Dublin, who were the parties interested, had been no parties, should not stand in the way of a proper adjustment of this question? He had said that he was not prepared to enter at large into this subject, but he did hold in his hand a return of the accumulation of prisoners in the jail of Dublin and he asked if it was that in that city, where the prisoners were the most corrupt, the most contaminated, and the most unfit for the reception of prisoners, there should be an accumulation of prisoners (small provision was made for their trial)—amounting to 212, 500 of whom were females?—He asked, was that right, was it what the noble and learned lord thought ought to be the permanent condition of justice in Dublin, and the permanent state of the prisoners? He could not express the surprise he felt that they should have gone back to the consideration of this matter, after the adoption of an amendment which merely enabled the Lord Lieutenant to interpose when necessary required it, in justice to the population of Dublin, and to cause the jails to be delivered when the excess of prisoners rendered it necessary. He, therefore, joined with his noble friend (Lord P.) in saying that this was an alteration which would not be tolerated; and he hoped his noble friend would take the sense of the house against it, because, although the name of "justice to Ireland" might have been often abused, if ever there was an act of justice to the population of one particular city it was the case in the proposition now before the house.

The Duke of WELLINGTON said that after this subject had been before their lordships for so many years, it was now at last discovered that the question upon which their lordships had to decide was whether the Recorder of Dublin—an officer who was paid a salary of £1,000 a year, and who was placed on a different footing from other recorders in Dublin—was to be placed on a footing from other recorders in Dublin held a court of oyer and terminer and general jail

also to be excluded from his situation in Parliament, and to be branded as a criminal in order to satisfy that party, who, if Parliament were to be dissolved, would come forward fairly and openly, and say that the Recorder of Dublin should not sit in Parliament. Let them do that if they pleased, and see what would be the result; but let them not endeavor to accomplish their object by throwing it on the Lord Lieutenant, for the purpose of gratifying this distinction in position. They knew that they could not have expected to carry such a measure without opposition. This proposition was introduced for the first time on this occasion, and he proposed, for the purpose of satisfying this distinction in position, for the introduction of a new Parliament, and before the Parliament convened and sat at Westminster, and be a Parliament longer, to all intents and purposes as if the same Parliament had not been dissolved or expired, but sent in a Parliament sooner prorogued or dissolved: Provided also, that if any such proclamation as aforesaid shall issue, in any or either of such cases as aforesaid, and be appointed by any writs of summons then issued for calling and assembling a new Parliament, and before such new Parliament shall have met and sat as a Parliament, such new Parliament shall immediately after such proclamation convene and sit at Westminster, and be deemed to be a Parliament in being, to all intents and purposes, under the provisions of this act.

Lord J. RUSSELL said he had not answered the hon. gentleman when these clauses had been first proposed, because he thought it more advisable to give more consideration prior to deciding on the subject. He had since considered the matter, and he seemed to him to be better to assent to this bill as it had been sent down to them by the Lords, and on the principle that it was formed in accordance with the Regency Bill of 1830. It certainly seemed necessary to provide for the next contingency; and to leave any future one to the discretion of the crown, thereby not choosing to settle the probability of the possibility of the nation should be deprived of the present Sovereign, and also of the provision made in such case. He therefore thought it would be unnecessary to adopt these clauses.

These clauses were then negatived without a division, and the bill read a third time and passed.

The Slave Trade (Zanzibar Bill) was read a third time and passed.

POPULATION (IRELAND.) On the motion of Mr. F. MAULE, this bill was read a third time and passed.

The following bills were then disposed of—Dublin Police Bill, read a second time, and ordered to be committed this day. Bank of Ireland Bill, read a third time and passed. Municipal Assessment Bill, read a third time and passed. Population Bill, reported received, the amendment in committee agreed to, and the third reading fixed for early next week. Joint Stock Banking Companies Bill, read a third time and passed.

On the motion of Mr. F. MAULE, this bill was read a third time and passed.

The House of Commons—Saturday. Mr. MUNZ presented a petition from the solicitors of Birmingham in favour of the removal of the courts of law from Westminster Hall to Chancery Lane. The population bill was read a third time and passed.

Mr. F. MAULE moved the second reading of the administration (Birmingham) bill. Read a second time. Report on Monday. The house went into committee on the consolidated fund bill.

The CHANCELLOR of the EXCHEQUER moved the insertion on the appropriation clause, which was agreed to. The house resumed. Report on Monday. The exchequer bills (£10,751,550) bill went through committee. Report on Monday. On the motion for going into committee on the postage bill.

Mr. TOWNLEY wished to know from the right honorable gentleman, the Chancellor of the Exchequer, whether there was anything in this bill to prevent merchants' letters being sent in private ships as formerly. If there was not, he would not oppose the measure in its present state.

The CHANCELLOR of the EXCHEQUER said this bill did not alter the practice alluded to by the honorable member. It was legal to send letters, but not legal to collect them.

Mr. TOWNLEY was of opinion that the foreign correspondence could not be carried on unless ship letters were allowed to be collected.

After a short conversation, in which Mr. WARBURTON, Mr. EWART, and Mr. TOWNLEY took part, the house went into committee on the bill.

On the motion for going into committee on the postage bill. Mr. TOWNLEY again called the attention of the government to the subject of abolishing the collection of ship letters.

The CHANCELLOR of the EXCHEQUER said, letters might be collected in a box in London, but they could not be sent from London to Liverpool, or other ports, in a box, as by that means the Post office revenue would be injured. He considered, whilst the Post office could do the work, no other means ought to be employed.

The clause was agreed to. Mr. BAINES suggested that some allowance should be made to persons taking large quantities of stamps for sale, the same as was now allowed to sub-distributors.

The CHANCELLOR of the EXCHEQUER said the suggestion of the hon. member should have his best consideration, but he did not think it could be acted upon at present without incurring great loss to the revenue.

On clause 39 being read, Mr. WARBURTON trusted the Chancellor of the Exchequer was prepared to assure the house that there would be an office established for the registry of letters. A great number of letters were now abstracted, which was a subject well worthy of the attention of government.

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no opposition to the release of prisoners, the court ought to have the power of granting it. This law on this subject he thought could not be administered with too much lenity.

Mr. ESTCOURT—If the act only related to the individual case of Thorogood; it was not of much consequence; but if it was to become a permanent law, he considered it required the greatest attention and consideration before it was agreed to.

The ATTORNEY GENERAL said it was impossible any danger could arise in giving the Ecclesiastical courts a power of discharging a prisoner for contempt, with the consent of the prosecutor. The only doubt he (the Attorney General) had was, whether or not the act was curtailing the power they at present possessed. He considered such a power now existed without obtaining the consent of the prosecutor. Thorogood had been now imprisoned eighteen months for £500, when if a person was imprisoned on a civil action for forty pounds, he was entitled to his discharge after an incarceration of twelve months. Surely under such a state of law, something ought to be done.

Dr. NICHOLL, in explanation, begged the house to bear in mind that John Thorogood was not imprisoned for non-payment of 5s 6d, but contempt of court, in not appearing to the process issued against him.

The house then went into committee on bill (No. 1). The various clauses were then agreed to, and the house resumed. Report on Monday. The Ecclesiastical Courts (No. 2) Bill was withdrawn.

On the motion of Lord J. RUSSELL, it was agreed that the house should adjourn on Monday evening, and during the remainder of the session the house should be open for public business at four o'clock, immediately after private business.

In answer to a question by Dr. Nicholl, Lord J. RUSSELL said he should move the Church Discipline Bill the first order on Monday evening, and should move the amendments on the Irish Municipal Corporations Bill at a later period of the night.

The house adjourned shortly after half past two o'clock.

ASSIZES INTELLIGENCE. CITY OF LONDON—THURSDAY, JULY 20. Before Judge, TRENKLE.

At the sitting of the Court, William Collins, a respectable dressed man, was arraigned for being a member of the Ribbon Society.

Mr. Justice C. C. stated the case, and left it to the jury to say, whether, from the evidence they could satisfactorily find that the prisoner was a member of the Ribbon Society since the first of September last according to the intent and meaning of the act passed in the last year of the present reign, and if they had a doubt upon the matter, he would say that they ought to give the prisoner the benefit of it.

Henry M'Ghee examined.—I know the prisoner Collins. He lives in Eden place, in the city of London. On the 20th of October last I went with the magistrates to search his house. He was not at home himself on that occasion. Sir Robert Bateson, the then mayor, Mr. Gillissey and Mr. Roberts, magistrates, were with me. I found a great number of papers and documents in his house, which I handed over to the magistrates as I found them. The papers which I found were in a chest of drawers, and his wife gave us the key of them, and did not seem to wish to conceal any thing.

Abraham Waters, another policeman, corroborated the statement of M'Ghee.

Sir Robert Bateson.—I was mayor of Derry in October last. I was with the two law witnesses when they searched his house. He was not at home himself on that occasion. Sir Robert Bateson, the then mayor, Mr. Gillissey and Mr. Roberts, magistrates, were with me. I found a great number of papers and documents in his house, which I handed over to the magistrates as I found them. The papers which I found were in a chest of drawers, and his wife gave us the key of them, and did not seem to wish to conceal any thing.

Anything new? There is a good prospect. America is throwing off the yoke; We should do the same. Don't be passionate at a particular person. Will the night be fair? It depends on Providence. The bright era begins to reign; Ireland will be free again. Like man we conquer.

Will we have a repeal of the Union? I think we will. Why do you think so? Because if we were united we cannot be refused. Oh, what a glorious day to see. The north and south combine, And monopoly and bribery So much on the decline. You are on your rambles? I am, to be sure.

The next document was a card, purporting to be that of the Royal Irish Reformers, and United Laborers, which was addressed to "Mr. William Collins, cooper, London-derry."

The other of these documents found with the prisoner was a letter from James Brady, who was convicted of Ribbonism in Cavan; to John Rogers, who was convicted at Carrick on Shannon for the same offence, and which embodied a circular from Richard Jones. This letter was dated the 23d of February, 1839.

There was also found a letter directed to Mr. John Rogers, of which the following is a copy; it was dated September 29, 1840. "Mr. JOHN ROGERS—Sir, we have received your favor of the 27th inst., by the hands of Mr. Peter M'Sherry for which we feel most truly grateful. Mr. M'Sherry we have found to be a person of the most amiable and trustworthy disposition, and assure you that we take it as a great favor, and a mark of your particular kindness, in sending us your respectful and confidential person. We send you the goods, per Mr. M'Sherry, for our five bottles, at a shilling per bottle; the other matter of expenses we have arranged with Mr. M'Sherry, and we hope to his satisfaction. As regards the future arrangements, between our- selves, and your honorable body, we have to be obliged forward a person of such character and abilities as will neither be a disgrace to the board he attends or the people he represents.—Allow us to assure you of our best thanks for your kindness, and remain yours very truly, "E. W. and W. COLLINS, Parish Masters."

