IMPERIAL PARLIAMENT.

HOUSE OF LORDS.—FRIDAY, FEB. 8.

The LORD CHANCELLOR took his seat upon the woolsack at five o'clock.

THE FERMOY PEERAGE.

The Earl of DERBY said it would be in the recollection of their lordships that a question had arisen last session with regard to the validity of a patent which had been granted to a gentleman named Roche, constituting him Baron Fermoy. He (the noble earl) had taken an objection to that patent on the ground that there had not then become extinct the three Irish peerages necessary to enable her Majesty to create a new one. The question involved considerations of great legal and constitutional importance; and it had in fact been thought necessary that it should be referred to a committee of privileges. It had, however, been suggested that upon Baron Fermoy presenting his petition in the ordinary way, praying that he might be allowed to substantiate his right to vote for a representative peer, the question would more properly arise. He (the noble earl) had waited, therefore, for the commencement of the present session, and he had been given to understand by the noble earl the President of the Council, that in the course of a few days Lord Fermoy's petition would be presented. Fortunately the case was now deprived of all personal interest as far as the noble lord was concerned. Lord Fermoy could not now be affected in the slightest degree by the result of the inquiry; for since last session another Irish peerage had become extinct, and consequently the only difference the inquiry would make to the noble lord would be whether his peerage was to date from 1855 or 1856. He (the noble earl) wished to ask his noble friend whether there was any reason to believe that the petition would in a short time be presented? If not, he would give notice of a motion to the effect that the subject should be referred to a committee of privileges.

Earl GRANVILLE—About a week before the re-assembling of parliament, I received a letter from Lord Fermoy, expressing an earnest desire that this question should be decided; and asking if I concurred with him in that wish. I replied in the affirmative, and requested Lord Fermoy to instruct his legal adviser to call upon me in London. The petition has been settled and signed, but, unfortunately, it has been mislaid; but I will write to Lord Fermoy, and request him to have another drawn up and signed.

The Earl of DONOUGHMORE gave notice of a motion to bring before the committee of privileges certain grievances of Irish peers in voting for their representatives in their Lordships' house.

THE NEW MINISTRY OF EDUCATION.

Earl GRANVILLE begged to lay upon the table, and to ask their lordships to read a first time, a bill for the appointment of a Vice President of the Committee of Council on Education. The bill contains a provision that this vice-president should have a seat in the House of Commons; and on the second reading he (the noble earl) would explain to their lordships the alterations which it was intended to make by means of an order in council, transferring to the new minister certain duties now performed by other departments.

The bill was read a first time accordingly.

THE KARS PAPERS.

The Earl of ELLENBOROUGH remarked that the noble earl the Secretary of State for Foreign Affairs would shortly leave this country for Paris; and as it would be very desirable that the debate upon the papers relating to Kars should take place before the noble earl (Lord Clarendon) quitted London, he wished to ask when those papers would be presented to their lordships.

Earl GRANVILLE was not able to say, in the absence of his noble friend the Foreign Secretary, whom he expected to arrive in the course of a few minutes.

THE DEBATE OF LAST NIGHT.

Earl GREY—Seeing the noble and learned lord in his place, I beg to ask him if he can give your lordships any information as to when the committee of privileges will sit, and as to what course is to be taken?

The LORD CHIEF JUSTICE—In the absence of my noble and learned friend (Lord Lyndhurst) it is impossible to give the noble earl any very satisfactory answer; but I may take this opportunity to express a hope that the course to be adopted by her Majesty's government will render it unnecessary to refer the subject of Lord Wensleydale's peerage to a committee of privileges at all. (Loud cheers.) I do not presume to offer any advice to her Majesty's ministers, who will no doubt receive it from quarters far more entitled to attention; but as a member of this house I do most earnestly hope that they will take a step, which, I believe, would be of infinite benefit to the country, and will recommend her Majesty to confer upon Sir James Parke, late a Baron of the Exchequer, the title of Lord Wensleydale in fee, with descent to the heirs male of his body. (Cheers.) That would put an end to this agitation; for I am sure that your lordships would one and all receive Lord Wensleydale into this house with the greatest pleasure. (Hear.) If that course was adopted, the question would still be left open; and if at any future time any pressing necessity should arise for making a peer for life, it might still be done, as the question would not then be prejudiced by anything that has occurred. I, for one, should certainly much rejoice if this course was adopted, for I am satisfied that it is the course that would most conduce to the welfare of the country.

The Earl of DERBY—My lords, I wish still less, and I have still less ground for offering advice to her Majesty's ministers, than the noble and learned lord who has just addressed you; but I cannot help thinking that the suggestion of the noble lord is one that well deserves the consideration of the government. By adopting that course, they will raise no unnecessary questions upon a point of extreme difficulty, as between the prerogative of the Crown and the House of Lords. Even it there was a doubt as to the strict legality of the patent granted to Lord Wensleydale, I think, after what passed last night, and after what fell from all the independent law lords—after what fell from the Lord Chief Justice (who, so far as he takes part in political questions, is attached to the present government), and from the noble and learned lord near me (Lord Brougham), there can be no doubt that the granting of that patent was in the highest degree unconstitutional. (Hear, hear.) When we see that so many noble lords, who on most occasions vote with the government, last night recorded their votes against it, I cannot but think that her Majesty's ministers will best consult, not only the public interests, but also, as connected with them, the rights and prerogatives of the Crown, if they do not unnecessarily raise the question of the strict legality of these peerages. Let them not cancel the present patent, but let them issue a new one in the usual form. That second patent may be produced by Lord Wensleydale at your lordships' bar with the writ of summons; and I am quite sure that we shall all gladly receive amongst us the learned gentleman into the question of whose rights I and the noble lords with me have been most unwillingly drawn. The universal feeling, I am sure, will then be one of pleasure and satisfaction that we should have added a name so honoured and distinguished to our rolls. (Hear, hear.) My lords, I did not intend to say a single word on this occasion. I have not seen my noble and learned friend since he left the house last night, and I have no idea what is the course which he intends to pursue; but I join with the Lord Chief Justice in hoping that it will not be found necessary to have this question considered by the tribunal to which the house last night considered it right that it ought to be referred.

Lord BROUGHAM expected that Lord Lyndhurst would have been in the house at five o'clock, but he must have been detained elsewhere.

Earl GRANVILLE moved that the house do now adjourn, and

Their lordships rose at half-past five.

HOUSE OF COMMONS.—FRIDAY, FEB. 8.

The SPEAKER took the chair at a little before four o'clock.

NEW MEMBERS.

Lord RAYNHAM and Mr. WARREN, the newly elected members for Tamworth and Midhurst, took the oaths and their seats.

PRIVATE BUSINESS.

Amongst the new bills introduced was that promoted by the Crystal Palace Company. It was ordered to be read a first time.

Mr. BROTHERTON reported, from the committee on standing orders, that in the case of the London and Diocesan Church Building Society Bill, the standing orders had not been complied with.

PETITIONS PRESENTED.

OPENING OF PUBLIC INSTITUTIONS ON SUNDAYS.—By Mr. DU PRE, from a place in Bucks; Mr. MUNDY, from a place in Derby; Mr. A. SMITH, from parish of Tewin, Hertford; Mr. A. PELLATT, from congregation of York-street Chapel, Walworth; Mr. SPOONER, from inhabitants, &c., of Coleshill, Warwick; all against.

SALE OF INTOXICATING LIQUORS ON SUNDAY.—By Mr. L. HEYWORTH, from elders and presbytery of 20 churches in Lancashire; Mr. HORSFALL, from the coalwhippers and others employed on the Thames; all against.

THE BILLETING SYSTEM.—By Mr. V. SMITH, from innkeepers of Northampton; against.

SURRENDER OF KARS.—By Sir J. WALMSLEY, from Leicester, for special inquiry into the causes which led to the surrender of Kars.

SALARIES OF PAROCHIAL SCHOOLMASTERS IN SCOTLAND.—By Mr. MACKIE, from the synod of Galloway, for increase of salaries for the parochial schoolmasters of Scotland.

CHURCH RATES.—By Mr. DEEDES, from Herne Bay, against the abolition of church rates without the substitution of an equivalent to provide for the maintenance of the fabric.

RETURNS ORDERED.

COUNTY COURTS.—On the motion of Mr. FITZROY, a number of returns from every county court in the kingdom, stating the number of plaints, causes tried, appeals, &c.; also returns as to the fees during the year 1855.

JUDICIAL ESTABLISHMENTS, &C. (INDIA)—On the motion of Mr. SEYMOUR, address for copies of any reports made to her Majesty by the commissioners appointed to consider the reform of the judicial establishments, judicial procedure, and laws of India. Copy of any despatch addressed by the Court of Directors of the East India Company to the Governor-General of India in council, respecting the reports made by the commissioners appointed by her Majesty, to consider the reform of the judicial establishments, judicial procedure, and laws of India.

WINE AND SPIRITS.—On the motion of Mr. MASTERMAN, account of the number of gallons of foreign wine imported; of the quantities upon which duty has been paid for home consumption, and the quantities exported; also the quantities exported on drawback, and the quantities retained for actual consumption in the United Kingdom, for the year ended the 31st day of December, 1855; distinguishing the different countries from whence imported, and whether red or white; together with the quantities of each sort remaining in bond on the 31st day of December, 1855, distinguishing London from the country. And, of the number of proof gallons of rum, distinguishing West India, East India, and foreign; also, of brandy, Geneva, and other foreign, colonial, or Jersey spirits imported; of the quantities upon which duty has been paid for home consumption, the quantities exported, and the quantities shipped as stores and used by the navy, for the year ended the 31st December, 1855; together with the quantities of each sort remaining in bond on the 31st day of December, 1855, distinguishing London from the country (in continuation of parliamentary paper, No. 305, of session, 1855).

ECCLESIASTICAL COURTS JURISDICTION.

Mr. COLLIER brought in his bill on this subject, which was read a first time.

GENERAL COMMITTEE OF ELECTIONS.

The members appointed by the Speaker to serve on this committee, were sworn at the table.

NOTICES OF MOTION.

Colonel DUNNE, when the ordnance and army estimates are brought before the house, to call attention to the means of supplying the army with clothing, arms, and other things; also the changes recently made in the War Department.

JUDICIAL OFFICES IN IRELAND.—Sir J. V. SHELLEY to move for a return on this subject.

LOCAL DUES ON SHIPPING BILL.

Mr. HORSFALL asked when this bill would be in the hands of members?

Mr. LOWE—Not till Wednesday next.

Mr. HORSFALL hoped, in that case, that the right hon. gentleman would not press the second reading on the day for which it was now fixed. It was quite impossible that it could be properly considered in so short a time.—[No answer given.]

Mr. HORSFALL—Does the right hon. gentleman mean to persist in taking the second reading on the 25th?

Mr. LOWE—If the hon. gentleman will give notice of his question I will answer it.

BOROUGH AND COUNTY POLICE BILL.

Sir G. GREY said that as the navy estimates would be brought before the house on Monday, it would be impossible for him to move the second reading of this bill on that day. He would therefore postpone it till Wednesday, which was quite an open day now, if not inconvenient to the house.

POOR LAWS IN THE HIGHLANDS.

Mr. E. ELLICE asked whether it was the intention of government to introduce any measure during the present session for the better superintendence of the administration of the poor law in the Highland counties?

Sir G. GREY said that the subject was still under the consideration of the government. The Lord Advocate would state what their determination was when it was arrived at.

ARCTIC MEDALS.

Admiral WALCOTT asked whether (and when) it was the intention of government to grant a medal to those engaged in the several Arctic expeditions, conformably with the recommendation of the committee of last session?

Sir C. WOOD said—Her Majesty had signified her intention to confer medals upon the officers and men who had been engaged in this service, and measures had been taken for the medals to be prepared without any undue delay. But there was a good deal of pressure on that department at present, and it would be some time before they could be got ready.

THE CRIMEAN REPORT.

Lord W. GRAHAM asked whether the officers animadverted on in the Crimean report had sent in any further explanations on the subject to the government or the authorities at the Horse Guards; and if not, whether the government intended to call for any?

Mr. PEEL—I might call on the noble lord to state who are the officers to whom he refers in his question, and whom he considers animadverted upon in the report. Some of them are in the Crimea, and have not yet had an opportunity of seeing the report, still less of volunteering any statement in their own vindication, if they desired to do so. Others again are no longer in the employment of the government, and have been relieved from the offices which they held at the time to which this report refers. But I know that the officer principally referred to by the noble lord is the Quartermaster-General at the Horse Guards; and it has not been necessary to call upon him for any explanation of his conduct, for no sooner had he seen the report than he felt that it did reflect upon his administration under Lord Raglan, and he has announced his intention of making a statement on his own behalf to the proper authorities. I also understand that Lord Lucan has made a statement remonstrating against the manner in which he is dealt with in that report.

Lord W. GRAHAM.—Will those statements be laid on the table of the house?

Mr. PEEL—They are not made yet.

THE SQUADRON IN THE PACIFIC.

Mr. H. BAILLIE wished to ask a question in reference to the conduct of Admiral Stirling and Capt. Elliot in the China Seas. A statement had appeared in the public papers purporting to be a report of proceedings of her Majesty's fleet in the China Seas; and though the government might think proper——

The SPEAKER—The hon. gentleman is out of order in making any statement. He must confine himself to the question he wishes to ask.

Mr. BAILLIE said it was necessary, in order that his question might be understood, that he should enter into some detail. He would therefore move the adjournment of the house. ("No, no.") He meant that the house, at its rising, should adjourn until Monday. Although the government might think proper to disregard the statement which had appeared in these papers, they were not justified in allowing false statements and misrepresentations to pass current for a length of time without contradiction, when those statements reflected upon the honour and character of the British navy. The statement he was about to refer to was this: that Admiral Stirling, in command of the British fleet in the China Seas, had received instructions to pursue, capture, or destroy a Russian squadron which was known to be in those waters, and that under these circumstances he had thought it consistent with his duty to occupy himself with a so-called commercial treaty, in a distant quarter, and to devolve the command of the squadron upon a junior officer, who was instructed to search for the Russian squadron. Captain Elliot, the officer in question, found the Russian squadron at anchor in De Castries Bay; and two statements had been published with respect to that squadron. One statement, differing very little from the other, had been made by the Russian government, and was published in the *Gazette* of St. Petersburg. That statement said that the Russian squadron consisted of one frigate, one corvette, and three transports, encumbered and loaded with the fugitives, men, women, and children, from the Russian settlement of Petropaulovski. The other statement had been made by a gentleman who had lately published a book, an officer of engineers, a friend of Captain Elliot's, and who was on board ship with him. He said that there was a frigate and a large corvette, mounting 18 or 20 guns, and that the other two corvettes, or perhaps armed transports, mounted 10 or 12 long guns each. He said that from each masthead of the Russian vessels their white ensigns waved; that from the masthead of our vessels the number of guns seen in each vessel was reported, and it was conjectured that the frigate was the Aurora, of 44 guns. He remarked on the unaccountable and blameable state of ignorance which all the officers seemed to be in as to the number, size, and strength of the vessels which they saw, and expressed surprise that this lamentable ignorance should exist thirteen months after the commencement of the war. It appeared from this statement that Captain Elliot had not ascertained what the strength of the Russian squadron really was; he did not know whether these vessels were corvettes or armed transports. The strength of the English squadron was this: it consisted of a first-class frigate, the Sybille, of 40 guns, the Hornet, 17 guns, and the Bittern, 12 guns. It was under these circumstances that Captain Elliot declined to engage the Russians. He determined to send one of the ships to search for the admiral, who was then 1,500 miles off; and it did not appear that he even thought it necessary to blockade the Russian ports. After losing a week in this way, he thought he would go and see what the Russians vessels were; and he was surprised to find that the Russians had not thought it necessary to wait for the convenience of himself or the admiral, but, as soon as they saw the coast clear, they had set sail for the mouth of the Amoor, where they arrived in safety. That was the statement which had been in circulation for some time, and be believed no attempt had been made to contradict it. He should be very happy if the First Lord of the Admiralty could give a satisfactory contradiction to it. In the meantime, the questions he wished to ask were—whether the Admiralty had received any communication from the officers in command of this squadron, and whether they would lay them on the table of the house? secondly, whether the government were satisfied with the conduct of the officers, or whether it was their intention to submit that conduct to the judgment of a court-martial? He moved that the house at its rising should adjourn till Monday next.

Sir C. WOOD said he certainly had not seen the statement to which the hon. gentleman referred, and he could not quite adopt the principle laid down, that it was the duty of the government to give a serious contradiction to these representations, which differed from the correct one. Probably, the best course would be to state that which he knew to be the fact with reference to these transactions. There could be no doubt that the admiral had the usual order to take, capture, and destroy all the Russian vessels with which he might fall in. It was not true that the admiral had devolved the command of the squadron on a junior officer; but he did intrust a junior officer with some ships for the purpose of endeavouring to intercept the escape of certain Russian ships which were supposed to be seeking to effect their escape from Petropaulovski. He was also directed to capture any Russians who might happen to be there. Of course there was not the slightest reason to suppose that the vessels would be at that particular spot. The coast and navigation were wholly unknown; no accurate survey had been made of it, and no accurate charts were in the possession of the officers there. He would state what the nature of the place was. (Here the right hon. gentleman gave a description, which would be unintelligible without a map.) The only survey existing at that time was that made by Admiral La Perouse, and from that it appeared not at all improbable that there was no passage through the strait but for a boat. Captain Elliot, having been sent there for the purpose of cruising in the upper water, went towards the upper end of the gulf. On reaching De Castries Bay, on the 20th of May, he sent the Hornet in to reconnoitre. Later in the day Captain Elliot himself went on board the Hornet, and completed the reconnaissance. They discovered a large fleet, which turned out to be the Aurora, of 40 guns, a corvette of 24 guns, the Dwina, of 20 guns, and the transports; and beyond them were some still larger vessels, bearing the rear-admiral's flag; they could not make out whether one was another corvette or a large transport. There was also a steamer, and a barge or schooner. Shots were exchanged with one of the corvettes, which fell short on both sides. The first question asked was, whether the Admiralty was of opinion that Captain Elliot did wrong in not attempting to enter the harbour; and the opinion they had formed was, that he was perfectly justified in not attempting to enter it under those circumstances. He had two sailing vessels, and it was a perfectly unknown harbour. He had only one steamer, and it turned out that if he had attempted the entrance, his object would not have been gained, and it was almost certain that the ships would have been lost in the attempt. They thought that Captain Elliot was right in not attacking the Russian forces in De Castries Bay. It would have been a rash attempt, and, as it turned out, in all probability would not have been successful. The next question was as to the blockade of the ports. What Captain Elliot did was to lay off the port the whole of the next day, intending to wait till the Russians came out; but they remained very quietly within the port, guarding every possible entrance to it. Captain Elliot had taken the best measures to ensure his object, namely, to prevent the escape of the Russian vessels. His account why he adopted that course was this:

It appeared to me highly probable that the Russian squadron would immediately attempt to escape to the southward, out of the Gulf of Tartary. My object will now be to prevent their doing so, and I shall take up such positions with the Sybille and the Hornet as to watch their movements should that be their intention. My opinion is that if they move they will do so at once, and try to make their escape through the Straits of Perouse. This strait being only 25 miles across, their squadron is less likely to escape me there than it would be by my cruising in the northern part of the Gulf of Tartary, where there is a greater breadth to guard; the alternate strong winds and thick fogs of these seas being much against successfully blockading or watching a port. The Gulf of Tartary is also somewhat contracted between Cape Lamanon and the Isle de la Prise. I therefore propose guarding that channel for a day or two, should the weather remain favourable for my doing so, and then to cruise between Cape Romanzoff in lat. 45.25 N., lon. 141.34 E., and the opposite shore of Cape Crillon.

That official report was confirmed by several private letters which Captain Elliot had written. What he really wanted was steamers for the entrance of the harbour; and he took the wisest measure, that of sending a small vessel down to the admiral, to obtain a supply of steamers for that purpose. It was thought desirable that the enemy should not know in what direction he had gone; therefore he sailed at night. He went down with the Bittern, in order to reach the narrow part of the gulf. He was by no means certain of there being any passage whatever to the north. In a private letter he stated this a little more clearly. He said:

With my two ships I could only attempt to stop them going in what I thought the most likely direction for them to take, as it is impossible to keep sight of a place in the thick fogs of these seas, and with a constant south wind a few hours' fog would be quite sufficient for them to run out of sight.

These were Capt Elliot's reasons for the course he pursued. It was right to say that, judging here, the Admiralty were inclined to think that he ought at least to have made the attempt at the mouth of De Castries Bay, and that sufficient reason had not been given for omitting it. Captain Elliot was a young and enterprising officer, as was shown by his services in the Mediterranean. He did not mean to say that there was not an error of judgment on his part in adopting the course he did, but he was convinced it was adopted from an honest and conscientious belief that it was the one most calculated to ensure the capture of the enemy's vessels. If they escaped to the south, they might have inflicted serious injury on the trade of this country in those parts, whereas, in Captain Elliot's opinion, there was a great possibility that they could not escape to the north at all, and that, even if they did, they could be pursued and captured when the reinforcements came up.

Mr. ELLIOT thought that the friends of Captain Elliot had some reason to complain of the mode in which this question had been brought before the house by the hon. gentleman opposite. (Hear.) The hon. gentleman made two distinct accusations against Captain Elliot: first, that he committed an error; and secondly, that when he might have gone to the north, he selected the south side, leaving it to be inferred that, by so doing, he wished to avoid the enemy. The last was a charge which he hoped could not apply to any British officer. (Hear, hear.) What was Captain Elliot's position? He went to an unsurveyed coast, where he had exceedingly bad weather with a lee shore. He found the enemy's vessels in a position of difficult access, and after consulting with others as to the prudence of making an attack upon them in such a position, he came to the conclusion that he ought not to do so. He was not then aware that there was an open passage to the Amoor. He had no means of forming an opinion that any such passage was in existence, and he came to the conclusion that if the vessels came out they could only escape by the south. After having sent information to the admiral, it was said that he should have remained opposite the port. The reason that he did not so remain was that it was impossible, which was in itself a conclusive reason. Captain Elliot was obliged to obey the fogs and the winds. If he had watched opposite the port, he would have been blown to the north by the winds, which in these parts blew from the south, and the enemy's vessels might take that opportunity of escaping to the south, which, in Captain Elliot's opinion, was the only means of escape. He therefore took up his position to the south, and when he afterwards returned to the bay in which he left the enemy's vessels he found they were gone to the north. His plan, therefore, so far answered, for he came to the conclusion that they were to be followed to the north. He then went to the Bay of Tartary, and when he got there he found himself on a lee shore, with fogs so thick that he could not effect an efficient survey, and was unable to discover the enemy's vessels. After remaining for some time the admiral determined to return. Captain Elliot, under the circumstances, could not do better than he did. He could not go in to fight the enemy where they lay, he could not anticipate them where they lay, he therefore tried to anticipate them where he could. If he had been aware of the passage the Amoor he would have gone to the north, but not being aware of that he could do no more than he did. That was the whole history of the matter. If any motion were made or any inquiry instituted, he was sure Captain Elliot's character would come out, as it had always done, as that of a gallant officer. (Hear, hear.)

BUNHILL FIELDS BURIAL-GROUND.

Mr. MIALL wished to ask the Under-Secretary for the Home Department whether his attention had been called to the fact that arrangements were being made, and notices served, for the removal of the remains of persons buried in the late Bunhill-fields Burying ground, Church-street, Islington, and for using the ground for building purposes, and whether such proceedings were in accordance with law?

Mr. MASSEY said that about two years ago an individual made an attempt such as was alluded to in the question of the hon. gentleman, but upon his being told on the part of the government that he would subject himself to a prosecution, desisted. He understood that about two days ago the same individual served notices. He could only say that if the facts turned out to be correct, the law would be put in motion against him. (Hear, hear.)

ECCLESIASTICAL COMMISSION.

Lord R. CECIL wished to ask whether her Majesty's government proposed to act upon the intentions intimated on the 18th July last year, by the Home Secretary, of instituting an inquiry into the working of the Ecclesiastical Commission and the Church Estates Commission?

Sir G. GREY said it was intended that the inquiry should be conducted by a committee of the house, which would also inquire into other matters of a like nature. He should in a few days give notice of the inquiry.

DOCKYARD PATRONAGE.

In reply to Lord HOTHAM,

Sir C. WOOD said that he had no objection to lay on the table a copy of the order by which the patronage of all appointments was given to the admirals' and captains' superintendents in their respective dockyards.

OUR RELATIONS WITH AMERICA.

Mr. COBDEN said he had some time ago taken the opportunity of asking the noble lord at the head of the government if he had any objection to lay on the table of the house the correspondence with respect to our relations with America, and the answer he received was that the correspondence could not be laid on the table, as it was incomplete. He begged it to be distinctly understood that there were two subjects of dispute at the present moment, involving grave considerations, between this country and the United States of America. One of these questions was with regard to the Central American Convention of 1850. In the year 1850 the English and American governments entered into a convention, certainly most benign in its object and novel in its character, for the purpose of guaranteeing a ship canal to unite the two oceans at the Isthmus of Darien. The convention began by expressing a hope and desire that the convention might have the effect, amongst other things, of promoting peace and amity amongst the contracting parties, and concord and civilisation throughout the whole world. The guarantee was also elastic in its operation, for the contracting parties contemplated the case of the other powers of the earth joining them in the guarantee. It was provided by the convention that ships passing the canal, or within a certain distance of its entrance, should not be subject to capture or molestation. The object contemplated by that convention, therefore, was deserving of universal approbation and admiration. But, owing to an unfortunate propensity of diplomatists to involve their sentences in phraseology unintelligible not only to others but to themselves, this convention was the cause of a serious quarrel between this country and the United States. His hon. friend the member for Dumfries (Mr. Ewart) proposed that there should be an examination of all persons entering into the diplomatic service of the country. He would suggest to his hon. friend that one of the qualifications to be required of such persons should be that of being able to write plain and intelligible English. ("Hear, hear," and laughter.) In the present case this result was the more incomprehensible, as the diplomatists of both the contracting parties wrote and spoke the same language. If one of the parties spoke German or French there might be some excuse for not understanding each other. From 1850 down to October last, this convention had been the subject of correspondence between the two governments. It was then laid before the Senate of the United States, on the motion of Mr. Clayton, the negotiator of the convention on their behalf, which was a conclusive proof that the government of the United States considered the correspondence closed. Mr. Buchanan also stated to Lord Clarendon that he considered the correspondence concluded, and Lord Clarendon in his reply admitted that it was. When therefore the noble lord stated in reply to him (Mr. Cobden) that he could not produce the correspondence because it was not complete, he must have made that statement in unconscious error. The correspondence was in fact in his hand at that moment, having been published in this country in the shape of a pamphlet, price 1s. And although it was discussed by the press and people of this country, and made the subject of conversation in society, he was not able to quote it or found any motion upon it in that house, because for that purpose it was necessary to have the documents officially from their own government. Surely the House of Commons ought not to be the only body remaining unacquainted with these documents. He hoped therefore that there would be no further objection to furnish them to the house, or, if there was, that it would be on some other ground than that given the other night. He also hoped that the noble lord in his reply would keep his answer to this question distinct from the next, which related to the enlistment of troops in the United States for this country. It appeared that they sent missionaries to the United States for this purpose; and in the first place he should like to know who were the wise men in council who sent to the United States for the purpose of getting men there to fight the battles of this country with Russia. The stream of human labour had been flowing for years at the rate of hundreds of thousands per year from east to west, because it offered superior opportunities of bettering their fortunes, and it seemed to him just as feasible to roll back the seasons, or reverse the course of rivers, as to send to the United States, where 4s. was the ordinary wages of labour, for men to fight the battles of this country for 1s a day in some remote and obscure border of the Black Sea. This was so absurd and foolish a project that he should like to know who was responsible for its suggestion. There was no correspondence published on this subject either in this country or in the United States. But common rumour, and Lord Clarendon, in another place, said that on remonstrance being made on this subject by the United States, we admitted our error, countermanded our orders, and withdrew our recruiting staff from the United States, and even from Canada. He understood that our *amende* was most honourable and ample, and was considered satisfactory by the United States. But, after it was made, other transactions, he was informed, had occurred which had reopened the whole question, and induced the United States to retract their acceptance of the first apology. Upon this subject he only wished to say, that at the government having once admitted its error, it seemed to him of little consequence whether they made concession or reparation in one form or another. When you trod on another's corn, it did not make such difference whether you said "I beg your pardon," or "I beg ten thousand pardons." It was not of such importance that any sensible man would go to fisticuffs on it. As the government were wrong by their own admission, and as the House of Commons stood responsible in the name of the country for the acts of the government, he thought it would be well to have the real facts and state of the question laid before them. The dispute was likely to have assumed much of a personal character, to have been embittered and envenomed in the course of the correspondence. That being so, if the question was taken out of the hands of the Foreign-office and brought under the discussion of the house and the country, he believed it would be found that it was the wish of the house and the country that this dispute should not be allowed to go on. There was some talk of arbitration with respect to the first question, and, in regard to this question also, why should not the same course be taken? As in the case of a private quarrel, where the seconds arranged the terms of the apology, why not nations also refer their disputes to the arbitration of other states? The party who committed the wrong should not be the party to mete out the measure of atonement. He understood there was some apprehension that the next mail would bring an account that Mr. Crampton had received his passport, and was on his way home. He believed that by discussion in that house and in the country some means would be found of escaping from the difficulty and adjusting the quarrel. On the other hand, nothing could be gained by wrapping it up and keeping it shrouded in the secrecy of the Foreign-office. In the moral, as well as in the physical world, there was danger where there was darkness. The danger in respect to this enlistment question was imminent; and, therefore, he wanted to know from the noble lord whether he would lay the papers respecting it before the house. It was only last night that the noble lord refused to lay certain correspondence, in regard to Prussia, before the house, because everything had been brought to a close. If the noble lord could refuse correspondence because it was not complete, and also correspondence which had brought everything to a close, he was invested with practical irresponsibility, and neither the house nor the country had any hold on the executive government. This question would be much safer in the hands of the house than in the hands of either the government or the press of the country. If there was a war with the United States, it would be provoked by secret diplomacy or by the press, not by the people of this country, who would not willingly enter into a war with the United States. (Hear, hear.) The *Times* told the people of this country that they were ready to go to war with the United States without being obliged to relax our gripe on the throat of Russia. Similar language was used in the *Morning Post*; and these two papers were supposed to represent the opinions of the present government. He had seen the papers of the United States, and he had not read in them any such language as was used by the *Times* and *Morning Post*. The journals of England generally, however, had not adopted that hostile tone towards the United States. It was only natural that the people of that country should assume that the journals of this country which represented the government represented also, to some extent, the opinions of the people. What he desired was, that the House of Commons should also represent the feelings of the people of the country on this foreign question, as they represented them on domestic questions. He could not conceive any greater calamity than a collision between this country and the United States. It would be most horrible, and inhuman, and disastrous even, to whichever was the victor. On the part of this country it would be like the destruction of one's own offspring; on the part of the United States it would be parricidal. He hoped the House of Commons would require to know what the two countries were quarrelling about, and show to the country that they were prepared to deal with the question in the proper manner when it was brought before them. (Hear.)

Lord PALMERSTON—I shall observe in my reply to the hon. gentleman that distinction in the two questions which he has desired. And first, with regard to the Central American question, he is correct in saying that the treaty of 1850 was honourable to both the parties to it, having for its object and end the improvement of commerce and the extension of civilisation in every part of the world. It is well known that the greatest interest was excited by the question of a ship canal to unite the Atlantic and Pacific Oceans, but jealousies grew up between England and the United States with regard to it, each supposing that the other had some exclusive object in view, and wished to establish itself at one or other end of the canal to be made. The object of the treaty concluded was to remove all possible cause of jealousy on that point, and its provisions were, it was thought, calculated to accomplish that end. The project of a canal was, I believe, liable to physical difficulties, which there was much chance of overcoming, so that, practically, that part of the question is not immediately involved in the present dispute. But there was in that treaty also a purpose of obviating the jealousy which the two countries entertained with regard to the views of each other in Central America. The further purpose of the treaty, therefore, was that each country should disclaim any intention of domination or gaining possessions in that part of the world. An exception was made with regard to certain allies, which were under our protection by treaties which existed for a long time. I do not think, myself, that the treaty is liable to the criticisms which the hon. gentleman cast upon it; for I confess it seems to me that the meaning and the words of the treaty are perfectly plain and obvious, and I cannot see how any other construction can be put on it than that which we gave it. It is prospective, and not merely retrospective in its operation. It seems, however, that the government of the United States endeavoured to establish a different construction. And a correspondence between the two governments ensued on the subject. We contended for our interpretation, and the American government, or at least their minister here, contended for a different one. We stated that though we were convinced our interpretation was just, we were perfectly ready to submit the question to the arbitration of a third party. (Hear, hear.) To that offer we have not been able to obtain any answer, and so the matter rests. I did say, in answer to the hon. gentleman, I did not consider the correspondence closed, and therefore could not lay it on the table; but, on referring again to the state of the correspondence, I think, though not formally closed, it is sufficiently so to enable us to lay it before the house, and I am therefore quite willing to give it. (Hear, hear.) The other question arose out of the foreign enlistment act. It is true that when that act passed, authorising the government to enlist foreigners, it was represented to her Majesty's government that there were in the United States a number of men who might be willing to enlist in the military service of this country. The honourable gentleman conceived it to be morally and politically absurd to suppose that the tide of emigration, which had been flowing from east to west, could be turned back and made to flow from west to east. But if he inquired I should think he must know that in point of fact that ebb of tide has already begun—(hear, hear)—and that with regard to Ireland there is hardly a month or a week passes that a certain number of persons who emigrated from that country to the United States are not returning, either having amassed what they consider a competency, or because they have been disappointed in the expectations which they formed when they left home. Already therefore individuals are constantly returning from America to these islands. It was not for us to judge beforehand whether any number of Germans would be willing to come. Orders were given to establish recruiting depots within our own provinces, with instructions that if any persons presented themselves and were willing to engage, they should be enlisted and enrolled. Very strict injunctions were given that nothing should be done by any of the persons employed for this purpose that would at all conflict with the laws and municipal regulations of the United States, and the most specific orders were given to prevent any infraction of those laws. A certain number of persons came forward, amongst them being several hundred Germans; they were sent to Halifax to be enrolled, and some of them are now in this country. However, sir, her Majesty's government very soon found that it would be exceedingly difficult, in carrying on an operation of this sort, entirely to avoid everything which might give the American government cause of complaint, and as we were most desirous nothing should be done which might give umbrage to the United States, orders were issued to discontinue entirely all such proceedings. (Cheers.) Very soon after that an official representation was made by the government of the United States, complaining of the proceedings which had been begun; our answer was, "Anticipating that the United States might take umbrage at the proceedings which had been commenced, her Majesty's government have, of their own accord, already totally discontinued, and given orders to cease, all such proceedings;" at the same time we expressed our regret if anything should have happened (which we did not think was the case, and if so, it was entirely contrary to our instructions) which could be considered to be a violation of the law—if any such thing had happened we exceedingly regretted it, and we had, of our own accord, stopped all the proceedings complained of. (Cheers.) The hon. gentleman, sir, has said that proceedings between governments should be regulated by the rules which regulate the conduct of gentlemen towards each other. I will ask him, whether between one gentleman and another anything could be more satisfactory? (Loud cheers.) What could be more satisfactory than that one should say to the other, "As soon as ever I saw that what my servant was doing might give you cause of complaint, I stopped his proceedings; but if anything has occurred of which you can complain I am very sorry for it"? (Cheers.) I must say, sir, that when this communication was made to the American minister here, he expressed himself satisfied in the matter—(cheers)—and said he felt confident his government would be equally satisfied. For some time we heard nothing more; but at length the question was renewed, complaints again made, and a fresh correspondence opened. Three days before parliament met I thought I should be able to lay the whole correspondence on the table; there was nothing we could wish to conceal, on the contrary, we were most anxious to make it public; but the very day before parliament met the American minister presented to my noble friend, Lord Clarendon, a further despatch, exceedingly voluminous, going into a long recital of the circumstances alleged to have taken place. My noble friend felt it was impossible to answer that despatch as became the respect which he ought to show to the American government, and with due regard to the character of the British government, without referring to our minister at Washington for a report on the great variety of minute details as to which the information in possession of the Foreign-office did not enable him to give a proper answer. The matter is now in this position. If the correspondence be now produced, it will end with a long paper from the United States government, to which no answer could at present be given, because the materials for it have not yet been received. On this ground I think, on the one hand, it would not be fair to the American government to give the correspondence omitting this last paper, which seems to them of great importance (of course they would not otherwise have sent it); but on the other hand, it would not be fair to the British government to give that statement without giving the answer. (Hear.) I hope, however, that no long period will elapse before we are able to close the correspondence, and I can assure the honourable gentleman and the house that we are most anxious and most ready to lay the whole matter on the table for their consideration. (Loud cheers.) I quite agree with the honourable gentleman that this is a matter of the utmost importance in its bearings on the interest of the two countries, and I quite concur with him that there could hardly be any conflict between two nations that would be more calamitous to both. (Hear, hear.) We should suffer a great deal ourselves, and those with whom we have dealings on the other side of the Atlantic would suffer quite as much. There could be no conflict between two nations more calamitous than one between this country and the United States. It would be painful to think that in these days two nations, bound together by so many ties, having a common origin, a common interest, and a community of everything, should go to war without some real and unavoidable cause, and I cannot think in this case there is such a real and unavoidable cause. If the same spirit of firmness and conciliation be exhibited by both governments, I doubt not some adjustment will be found compatible with the honour and feelings of the two countries. I can assure the house, sir, that nothing will be wanting on the part of her Majesty's government consistent with a due regard to the honour and character of this country—(cheers)—but nobody, I am sure, sir, could wish that we should ever for a moment lose sight of this. Nothing that one gentleman could do towards another shall be omitted on our part for the purpose of avoiding a collision that would be a reproach to both countries. (Cheers.) I can only say, sir, that one portion of this correspondence shall be laid on the table at once; and when the other is brought to a termination, which I trust will not be long delayed, we shall be perfectly ready to lay it before you. (Loud cheers.)

Sir DE LACY EVANS had heard the explanation of the noble lord with great satisfaction; but he quite agreed with the hon. member for the West Riding as to the impolicy of attempting enlistment in the United States. With regard to our quarrel with that government, he considered the extravagant apprehensions of war entertained by the peace party were very ill judged, and might prompt parties in that country to demand terms and conditions they would otherwise never have thought of. It was consummate folly to attempt recruiting in the United States when two regiments of 1,000 strong each might have been raised in Canada. (Hear, hear.) An offer to that effect was made by gentlemen of high position in the colony; it was accepted, but the red tapeism of the Horse Guards interfered, and nothing was done; and thereby an opportunity was lost of still further identifying the sympathies of Canada with this country.

The subject then dropped, and the motion for the adjournment was agreed to.

ORDNANCE ESTIMATES.

Mr. MONSELL brought up the ordnance estimates, which were laid on the table.

METROPOLITAN POLICE BILL.

On the motion of Sir G. GREY this bill was read a third time.

Sir J. SHELLEY observed that the bill authorised one commissioner to sign all orders for the guidance of the police force. He understood that those instructions were always submitted to the Secretary of State, and thought it would be desirable if his approbation was stated on the face of them.

Sir G. GREY said, on all occasions of importance these instructions were submitted to the Secretary of State, but they were signed by the commissioners of police in their capacity of magistrates, and not as commissioners.

The bill then passed.

PARTNERSHIP AMENDMENT BILL.

Mr. LOWE moved the second reading of this bill.

Mr. SPOONER could not allow the bill to be read a second time without calling the attention of the house to the consequences which must ensue if it passed in its present shape. The right hon. gentleman had introduced it with a very plausible statement. He asked, was it fair or was it reasonable that a person who lent money to a concern, who was not known to the world, to whom credit was not given, should lose all the capital he had embarked if the concern turned out unfavourable? The bill, however, went a great deal farther. Under it a man might advance capital to a person in trade, and enable him thereby to obtain credit to a large amount. If after a time he found the concern unprofitable he might withdraw his capital, but the trader would still enjoy the credit he had obtained by the use of it. Was it fair, in such a case, to allow the party who had advanced the money to escape all liability? To make the law at all equitable, it should provide that, in case a partnership became insolvent, the sleeping partner should be liable to the amount of capital he had withdrawn, and also any profit he had received. He would not oppose the present motion, but unless such a clause was inserted in committee he would divide the house against the progress of the bill. He regretted that the right hon. gentleman had not further postponed the second reading; the result would be another discussion on a future stage of it.

Mr. WATSON was entirely favourable to the principle of the bill, but he thought it required to be amended so as to define accurately what was meant by a sleeping partner. A sleeping partner ought not to interfere in any way in the control of the concern. There was another part of the bill which he considered would prove highly beneficial, that which allowed a clerk or servant to be paid by a share of the profits. (Hear, hear.) Since the decision of Lord Eldon in "Waugh v. Carver," it was held that in such case the clerk was a partner. The case in the law would have a most beneficial effect, as a clerk when paid by a share of profit would be stimulated to increased exertion for the interest of his employer. When the bill went into committee he would give every assistance in his power to render it as perfect as possible.

Mr. MUNTZ had already expressed his opinion that the bill was a great delusion, but he had no objection to let the ministry ride their hobby as long as they liked, provided they rode it in public. He looked on the bill from a commercial point of view. Suppose the case of a trader who was known to carry on his business in a discreditable way, and consequently unable to obtain credit; if he could get a third party under this new law to advance him money he might introduce it into his business, and he would soon obtain credit, as parties would suppose that he was acquiring capital by the profits; but if the profits were not great the sleeping partner might withdraw his capital, and those who had given the trader credit would find out their error to their loss and to the detriment of the public. If they wished to adopt the American law, let them adopt it entirely. By it a sleeping partner was obliged to give public notice of the amount he advanced, and of his withdrawal when it took place.

Mr. CAIRNS did not rise to oppose the bill, but only to say a few words in justification of the course he and some others had taken last session. When the last Partnership Amendment Bill had been introduced he considered it too cumbrous to work, and proposed to introduce three short and simple clauses; he found that the present bill of the right hon. gentleman consisted simply and entirely of these three clauses. ("Hear, hear," and laughter.) The only difference was the insertion of the words "not being a banker." He merely stated this because when he proposed the clauses last year he was accused of offering a factious opposition to the bill. (Hear, hear.) With regard to the Limited Liability Bill of last session, he and some friends of his proposed a series of amendments, every one of which was opposed by the government, and rejected on a division. Among these amendments were, that there should be no limit to the amount of shares; that any partnership consisting of more than six should be entitled to the advantages of the act. These provisions were adopted in the government Joint Stock Company Bill of this session. (Hear, hear.)

Mr. MOFFATT believed that great good would arise from this bill. The whole commercial fabric of the country was based on a system of credit, and the more capital was introduced, the better for the country. All the great branches of commerce were carried on by credit. Scarcely an article was imported but on two to six months' credit; the raw material was supplied to the manufacturer on credit; and so on down to the retailer. As to the first clause, opinion was divided, but he believed it was generally favourable to the clause as it stood. He believed that great national benefit would result from this bill. As regarded the second clause, in his opinion, a more beneficial one could not have been introduced. The country was almost unanimously in its favour.

Mr. T. BARING thought the house would find itself mistaken if it supposed that the commercial community were unanimous in favour of the bill. Whether for good or evil, the bill would introduce a great change in the commercial habits and usages of this country; and he confessed that he did not see any necessity for change as regarded partnerships for private business. Various countries had been referred to as having adopted the principle of this bill. If they wanted to select a country as a model of commercial usages and laws, to what country would they turn if not to that which had the most extended commerce, which employed the greatest amount of capital, and exhibited the greatest amount of enterprise? (Hear.) Where was the proof that the present system of partnership had failed to develop the resources of this country? He admitted that the precedents of other countries might very fairly be cited in such cases; but there was not a single country in the world which had a law like that now proposed to be enacted. This was an experiment entirely without the test of experience. Two clauses of the bill, short as they were, introduced a great mass of novel principle and of experimental change. The present bill was very different from that of last session. The bill of last year provided that there should be publicity, that there should be registration, that there should be means of ascertaining the amount of capital, that in case of failure no portion of the capital should be paid to the lender till the other creditors had been satisfied, and, moreover, that any payment which was made to the lender within three months before the date of failure, should be returned for the benefit of the other creditors. Such provisions were wanting in the present bill. As to the lender, there was nothing to prevent him, after he had started a man in business and enabled him to gain credit, from withdrawing his capital without any publicity. Was that a state of things under which commerce was likely to prosper? Why such a law would give freedom, not to trade, but to fraud. (Hear, hear.) It might obviate a variety of legal difficulties, but it would cause great insecurity in commerce, and would affect the commercial reputation of the kingdom. What gave confidence at present was the knowledge that the man who was engaged risked everything in it—his capital, his resources, and his reputation; but under this bill a man's risk would be limited, and when he was called upon to pay a debt he could reply "I won't do so, for I only engaged for so much." The bill treated trade as a game, in which a man staked a certain amount, and no more. As regarded the profitable employment of capital, he did not think any one could point to any quarter of the country, or the world, in which there was a fair chance of making profit to which capital did not flow. Such a measure as this might do very well for a country like the United States, where there was enterprise without capital, or for a country like France, where there was capital without enterprise; but this country had as much capital as was required for trade, and more enterprise than was at all times desirable, its enterprise sometimes requiring rather to be checked than encouraged. He objected to this bill, because it had no experience or authority in its favour. If the house was determined to establish private partnerships with limited liability—he said nothing about companies—this was not a safe mode of doing it; on the contrary, it was a mode which would admit of every kind of fraud being practised; it was one which, if it had any effect at all, would make the man who managed the business a man who did not care about losing the capital. (Hear.)

Sir W. CLAY believed that the reason why the bill was not opposed on the second reading was, that it was known by those who disapproved of it that the feeling of the country was in favour of it. The argument of the hon. member for Huntingdon (Mr. T. Baring), that the principle of this bill could not be a good one because England, the greatest commercial country in the world, had not adopted it, would have been an equally good argument formerly in favour of retaining the corn laws, or continuing the monopoly of the East India Company. These were hitherto clung to with tenacity, on principles which were now universally admitted to be unsound. The country had been gradually getting rid of monopolies and restrictions; and nothing was more clear than that the best general rule with regard to commercial transactions between individuals was, that the state should not interfere except for some proved necessity. (Hear, hear.) The hon. gentleman asked whether there was any want of capital in this country. In one sense there was not. There were many great capitalists who were always ready to employ capital wherever it could be employed profitably. But what was the case with regard to the middle and working classes? (Hear.) He believed that there were a great many trades whose development was very important to those classes, which would receive a great impetus from the passing of this bill; and he saw no reason why that numerous class of persons, who had only a small capital, should be deprived of the opportunity of employing it at a profit. The honourable gentleman had spoken of facilities for fraud. Were there no facilities for fraud at present? (Hear, hear.) Had not the world been startled by astounding disclosures of frauds practised under the law as it existed? (Hear, hear.) As regarded credit, he believed the bill would have a very useful effect; it would diminish false and spurious credit; it would foster sound and wholesome credit. He could not allow the bill to pass the second reading without contributing his humble tribute of admiration to the government, and especially to the right hon. gentleman (Mr. Lowe), for having introduced such a measure—a measure which, in his opinion, was based on sound economic principles, and would prove exceedingly useful to the great bulk of the community. (Hear, hear.)

Mr. ARCHIBALD HASTIE hoped that after the very clear and able description of this bill by his hon. friend on his right (Mr. T. Baring), the President of the Board of Trade would see the necessity of postponing the second reading. If it were true, as had been stated, that there was a strong public feeling in favour of the bill, its postponement would enable the right hon. gentleman to carry it hereafter with greater eclat. In proposing such a change as this, the right hon gentleman ought to have shown that there was at present a deficiency of capital; and even if it were necessary to introduce additional capital, the government should have adopted a plan by which frauds would not be encouraged. As to the "dormant partner" mentioned in the bill, what was there to prevent him from retiring at any time, without any one knowing that he was gone, and leaving the creditors to deal with men of straw? The bill no doubt emanated from lawyers, who knew nothing of commerce but what appeared in the courts. It was said by some of its advocates that credit was at present too cheap, and that if it were diminished so much the better. He was of a different opinion. It was by means of credit that this country had been able to produce to such an unparalleled extent, and it was unlimited liability which caused people in all parts of the world to place so much confidence in our merchants. This bill would go far to destroy that confidence; for no one would know in future, whether those whom he dealt with proceeded under limited or under unlimited liability. For the last 20 years the Board of Trade, from which this bill emanated, had, with one or two exceptions, been formed of men who were totally ignorant of commerce, briefless lawyers, or at all events men whose antecedents were not such as to ensure their possessing commercial knowledge. It was such men who had produced a bill which would have the effect of destroying credit and giving parties opportunities of defrauding the public by schemes which could never be brought to perfection. He hoped the right hon. gentleman would consent to postpone the second reading.

Mr. BIGGS said, as one who was connected with the manufacturing districts, he could declare that there was a universal feeling in favour of the bill. (Hear, hear.) He himself accepted it as the first stage in the amelioration of the law of partnership. He had heard of many instances of the most painful kind in which men who had retired from business in the hope of spending the remainder of their days in ease had, through advancing money to young men from motives of benevolence, been led to hopeless penury and want. Such things were cruel and unnecessary; and this bill would remove that evil. The other day he was reading that at St. Etienne, a town in the south of France which was devoted to the ribbon manufacture, one-half the present manufacturers had risen to that position through availing themselves of the state of the partnership law in that country. He had seen many young men in England emigrating, and thus lost to the country, who would have remained here had facilities been afforded to them for the development of their talents. He believed that by getting this bill passed, the right hon. gentleman would do more to benefit society than had been done by almost any measure which had been passed during the last fifty years.

Mr. G. C. GLYN said, though he was not in favour of the bill, he must confess that he could not see the slightest ground for requesting the government to postpone the second reading. Indeed, he was not sure that, with some modification of its clauses, the bill was not on the whole the best settlement of the question at which the house was likely to arrive. It was almost impossible that any man who had been mixed up with the commercial affairs of this country should not have perceived that a very great change in the working of the law of partnership had arisen from the recent alteration in the usury laws, and that it was necessary to do something to meet the case of persons who lent money at a usurious rate of interest, and afterwards came in as creditors. He had not heard any reason assigned for the omission of those clauses in the bill of last session which provided for publicity and registration, and precluded the sudden withdrawal of capital, and he was afraid that, without them, this bill would open the door to all sorts of frauds. Let the house do what they could to leave unimpaired the general credit of the country. If hon. gentlemen only bore in mind how large a portion of the commercial transactions of this country took place, not on book credit merely, but on bill credit, the bills passing from hand to hand and the endorsements upon them being supposed to represent credit, they must perceive that if capital might be secretly withdrawn, the effect would be greatly to impair that species of credit. He was glad that the right hon. gentleman had not proposed to adopt the law of commandite, being convinced that it would not have been found consonant with the feelings of the people.

Mr. MALINS was strongly in favour of the principle, but admitted that a few safeguards should be provided in committee. (Hear, hear.)

Mr. CARDWELL was extremely glad that there was to be no opposition to the second reading of the bill, and entirely concurred in the observation