

wish that he would not call on the House to come to a decision without further consideration.

Mr. *Estcourt* thought, that the hon. Member might more properly have introduced his proposition some years ago, when abuses existed in regard to committees on private bills, which had since been removed. The amendment had been made on various occasions, and some of them in the course of last Session. Besides, no system could obviate every possible inconvenience; and for his part he was of opinion that if they removed from private bill committees all Members who had an interest in them, they would only deprive themselves of the necessary local information.

Mr. *Labouchere* hoped that his hon. Friend would not press his motion against the recommendation of the committee of last Session that the system then adopted should have a fair trial. The question whether committees should be exclusively official and divested of local interests was one of very great difficulty. That House could not separate its committees from the representative character of the whole body and render them strictly judicial, as were the committees of the House of Lords.

Mr. *Pryme* considered it would be a great evil not to have local Members on the committees, and thought that a committee, constituted on the plan of the hon. Member for Wigan, might, with the greatest possible desire to do justice, commit gross injustice for want of local knowledge.

Mr. *Hume* would ask the hon. and learned Member for Cambridge what he would think if he were to see a jury-box filled with persons having a local interest in the matter to be tried, and the cases of a jury and committee were exactly similar. He would admit, that it had been usual to consider Members were placed on those committees to do the jobs of their constituents. But that was an abuse which he wished to see done away with altogether. He would admit, that many abuses which had existed formerly in respect to the appointment to private committees, had been remedied, but that was only a reason for getting rid of the remaining ones. He thought, that the time had come when there should be no more temporising, and would, therefore, support the motion of his hon. Friend. He, for one, would not be afraid to go before the country on this

question, as he was convinced, that every honest constituency would say, that they would rather submit a question to a committee having no local interests, than be subjected to jobbing.

Mr. *Rice* said, that it was frequently considered an advantage at quarter sessions and assizes for a jury to have local knowledge of the matter in dispute.

Mr. *Ewart*, with every disposition to accede to the proposition of the right hon. Baronet, felt so strongly, that justice and reason were on his side, that he must press the question to a division.

The House divided:—Ayes 22; Noes 24: Majority 2.

List of the AYES.

Aglionby, H. A.	Stansfield, W. R. C.
Berkeley, hon. C.	Stewart, J.
Bewes, T.	Strickland, Sir G.
Blake, M.	Strutt, E.
Brotherton, J.	Talfourd, Mr. Serg.
Bulwer, Sir L.	Tancred, H. W.
Greene, T.	White, A.
Heathcoat, J.	Williams, W.
Hector, C. J.	Yates, J. A.
Hume, J.	TELLERS.
Muntz, G. F.	Ewart, W.
Salwey, Colonel	Warburton, H.

List of the NOES.

Baldwin, C. B.	Labouchere, rt. hn. H.
Barnard, E. G.	Morris, D.
Briscoe, J. I.	Noel, hon. C. G.
Broadley, H.	O'Brien, W. S.
Bruges, W. H. L.	Packe, C. W.
Buller, Sir J. Y.	Plumptre, J. P.
Busfield, W.	Pringle, A.
Courtenay, P.	Pryme, G.
Elliot, hon. J. E.	Rice, E. R.
Freshfield, J. W.	Richards, R.
Gordon, R.	
Goulburn, rt. hon. H.	TELLERS.
Hinde, J. H.	Grey, Sir G.
Hodges, T. L.	Estcourt, T.

COPYRIGHT.] Sergeant Talfourd moved for leave to bring in a bill to amend the law with respect to Copyright.

Mr. *Warburton* could assure the House, that he did not intend to let even a stage of the bill pass without offering to it his most strenuous and determined opposition. When the matter was formerly discussed, either upon the introducing of the bill, or the second reading, Gentlemen on that side of the House stated, that they entirely disagreed, both with respect to the principle and details of the bill, but if he would allow the hon. and learned Member to bring in the bill, when it came into

committee they would assist him in opposing the details of the bill, and then there would be no difficulty in getting rid of the question. He divided the House on the second reading, and those Gentlemen voted with the hon. and learned Gentlemen. He of course supposed, that when the bill came to the committee, he should have had the assistance of those Members, amongst whom were her Majesty's Attorney-general, and some of the Cabinet Ministers, but when the bill came into committee, he had as much reason to complain of the state of the House as the hon. and learned Gentleman had. Those who had promised him their support were not in attendance, and he had to fight against the bill single handed. He would not commit the same mistake again, and therefore it was, that he was determined to fight it in every stage, and if he could not get support in that House, he would endeavour to get it out of it. He considered the bill as one that was calculated to inflict the greatest injustice on certain portions of the community. In the very outset of the question, the hon. and learned Gentleman and himself were at issue upon the true principle on which the judgment of Members ought to be guided with respect to the measure. He considered, that that judgment ought to be formed upon its utility. He did not agree with that mode of meeting the question. He contended, that the interests of authors and the interests of the public were both to be considered, and properly and duly weighed. It was upon these grounds that the discussions before the judges and the House of Lords proceeded. On former occasions, when this question had been argued, the hon. and learned Member had said, "I have the common law right with me."

Debate adjourned.

HOUSE OF LORDS,

Thursday, January 28, 1841.

MINUTES.] NEW PEER.—Earl Somers took his Seat on the death of his Father.

Bills. Read a first time:—Copyhold Enfranchisement.

ANSWER TO THE ADDRESS.] The *Lord Chancellor* announced to the House that the Lords appointed to present the Address of the House to her Majesty had waited on her Majesty accordingly, and that her Majesty had been graciously pleased to return the following answer:—

"MY LORDS,

"I thank you for your loyal and affectionate address. I entirely rely upon your assistance in the maintenance of the best interests of the country, in the preservation of peace, and the promotion of the general welfare of my people."

Answer to be entered upon the journals of the House.

TRIAL OF THE EARL OF CARDIGAN.] The *Lord Chancellor* had to inform their Lordships that he had felt it his duty to hold a communication with Mr. Justice Bosanquet, who presided as senior judge at a recent sitting of the Central Criminal Court, upon a matter connected with certain proceedings which had taken place respecting a Member of their Lordships' House. He had received from Mr. Justice Bosanquet the following answer:—

"Montague-place, Jan. 28, 1841.

"My Lord—In answer to your Lordship's inquiry respecting the proceeding at the Central Criminal Court, in the case of the Earl of Cardigan, in October last: I have the honour to acquaint your Lordship, that an indictment having been found by the grand jury against the Earl of Cardigan for feloniously shooting, with a loaded pistol, at Harvey Garnell Phipp Tuckett, with intent to murder, to maim, and disable him, and to do him grievous bodily harm against the form of the statute in that case made and provided, Mr. Adolphus (as counsel for the Earl) moved the court to direct, that the recognizances of the Earl and his sureties for his appearance at the Central Criminal Court might be respited to the ensuing sessions, on the ground, that the Earl being a Peer could not be tried in that court, whereupon it was ordered, that the recognizances should be respited accordingly, to afford an opportunity of removing the indictment to be tried before a proper tribunal, either of the Lord High Steward, or of the House of Peers. I have further ascertained by inquiry of the clerk of arraigns, that similar orders have been made at each subsequent sessions for the respite of the recognizances.—I have the honour to be, my Lord, your Lordship's obedient servant.

J. B. BOSANQUET."

"The right hon. the Lord High Chancellor."

Their Lordships being thus, by the authority of the judge before whom the question arose, put into possession of a knowledge of the facts, it was for their Lordships to say, whether they thought it right, that the course which had been adopted in all similar cases should be adopted on the present occasion, and that