There would be no difficulty in getting competent medical men for this investigation any more than there would be in getting competent men of the legal profession. The hon. Member concluded by moving an amendment, to the effect that two of the commissioners to be appointed should not have their profession stated, but that their appointment should be left to the Lord Chancellor.

Mr. *H. P. Howard* thought, medical men educated as to the diseases of the human mind more fit for such an appointment than men educated in mere legal technicalities. He should oppose the proposition that it be left to the Lord Chancellor to choose whom he might appoint, as his predilections would most likely be in favour of his own profession.

Mr. *Henley* was opposed to the appointment of exclusively legal gentlemen.

Lord *G. Somerset* said, whatever might be the opinions of the hon. Member opposite as to his phrenological conformation, he should oppose the proposition to leave the responsibility of the choice of the professions of the commissioners to the Lord Chancellor. He had no objection to take the proposition of the hon. Member into consideration, but he would rather the House would at once decide the question than throw this responsibility on the Lord Chancellor.

Mr. *Wakley* meant to persist in his amendment.

Mr. *Hardy* said, he should distrust the fitness of a legal commission. He would much rather see one legal and one medical commissioner. On a visit to the Wakefield Lunatic Asylum, he had felt convinced of the sanity of a lunatic on conversation with him, who, it afterwards turned out, was the most violent of the patients.

Mr. *R. Yorke* was of opinion, that Members of the legal profession were the least qualified persons to be on the commission.

Mr. *Godson* thought, that medical men were not so fit from their prejudices. He had heard a doctor swear, that all mankind were mad. They wanted the experience and knowledge of the other profession to investigate the truth of the facts under which a lunatic was confined. He wished to see the two professions combined, in order to arrive at a just result in such an inquiry.

The Committee divided on the question that the words proposed to be left out, stand part of the question:—Ayes 19; Noes 22;—Majority 3.

List of the AYES.

Adderley, C. B.	Jackson, J. D.
Aglionby, H. A.	Johnson, W. G.
Baskerville, T. B. M.	Mackenzie, T.
Broadley, H.	Mahon, Visct.
Clerk, Sir G.	Martin, C. W.
Cripps, W.	Mitchell, T. A.
Denison, E. B.	Round, C. G.
Forbes, W.	Rous, hon. Capt.
Gladstone, rt hn. W. E.	TELLERS.
Grimsditch, T.	Godson, R.
Hornby, J.	Somerset, Lord G.

List of the NOES.

Arkwright, G.	Hardy, J.
Blake, Sir V.	Howard, P. H.
Bodkin, W. H.	McGeachy, F. A.
Bowring, Dr.	Miles, W.
Brotherton, J.	Pakington, J. S.
Campbell, A.	Plumridge, Capt.
Christie, W. D.	Turner, E.
Colville, C. R.	Williams, W.
Dickinson, F. H.	Yorke, H. R.
Evans, W.	
Ferguson, Sir R. A.	TELLERS.
Halford, H.	Henley, H.
Harcourt, G. G.	Wakley, T.

Lord *G. Somerset* hereupon said, he hardly knew what course to adopt now, as he knew not whether the intention of the House was to favour the medical or the legal authority.

Mr. *Wakley* said, he had no doubt whatever as to the perfect practicability of carrying out beneficially the principle which the House, he was glad to say, had affirmed. Perhaps it would be well, for the present, to postpone the further consideration of the measure.

House resumed — further proceeding postponed for a fortnight.

COPYRIGHT.] House in committee on Copyright Bill, and

Clause 15 (relating to piracies by extracting) being proposed,

Mr. *Wakley* said, he thought this clause would prevent elegant extracts being put into school-books; he wished to know what effect this clause would have with respect to the existing law, which was at present very stringent; but stringent though it was, it was believed that the proposed clause would be much more so.

Mr. *Godson* did not see any reason for this apprehension. The clause allowed extracts for purposes of "criticism,"

"judgment," or "argument." Now, in all cases of injunction, the equity judge had to decide how far the extracts were injurious to the book, and if they were merely *bonâ fide* for such purposes as these, they would come within the exceptions of the clause, exceptions which would undoubtedly include selections for school-books; whereas, were the words "or school-books" specially introduced, under the cover of that language whole works would be republished.

Mr. *Aglionby* opposed the clause. It appeared to him, that the effect of passing this clause would be, that the large class of books on important subjects which, from their cheapness, were accessible to the public, would no longer be placed within their reach. It was, in his opinion, entirely inconsistent with the public interest that this clause should be agreed to.

Lord *Mahon* said, it was desired by the clause to re-enact the existing law with reference to extracts. It was quite evident, that any extracts for criticism, observation, or argument would not come within the law as it at present stood; but it was necessary to adopt some measure for the prevention of the artifices which are constantly resorted to in order to profit by extracts from popular works. His hon. and learned Friend (Mr. Godson) had stated to the House what the existing law was; they were all agreed that the proposed law should not be less forcible as a protection to copyright than the existing one, and it was only proposed to re-enact by this clause that which is already in operation in reference to the publication of extracts.

Mr. *Godson* explained, that the clause as framed was a strict definition of what would be piracy, and therefore ought to be preserved as part of the bill.

Mr. *Wakley* was of opinion, the clause would have a most injurious effect, inasmuch as it would prevent the publication of extracts from the most useful works, and which appeared in such publications as *Chambers's Journal* and the *Mirror*—works which found their way into almost every cottage.

Mr. *Godson* contended that no jury would find such extracts as appeared in the *Mirror* or *Chambers's Journal* to be injurious to the author; but, on the other hand, if more lengthy extracts were made would the House leave the author without a remedy?

Dr. *Bowring* thought the clause would be an impediment to the general diffusion of literature through works with which all were familiar, and which contributed so much to the celebrity of the authors quoted.

The committee divided on the question that the clauses as amended stand part of the bill.

The numbers were—Ayes 36; Noes 11: Majority 25.

List of the AYES.

Adderley, C. B.	Inglis, Sir R. H.
Arkwright, G.	Jackson, J. D.
Bailey, J.	Lockhart, W.
Baskerville, T. B. M.	Mc Geachy, F. A
Bodkin, W. H.	Marsham, Visct.
Botfield, B.	Miles, W.
Broadley, H.	Morris, D.
Campbell, A.	O'Brien, A. S.
Christie, W. D.	O'Brien, W. S.
Christopher, R. A.	Pakington, J. S.
Colvile, C. R.	Palmer, G.
Cripps, W.	Rous, hon. Capt.
Darby, G.	Scott, hon. F.
Dickinson, F. H.	Sutton, hon. H. M.
Farnham, E. B.	Whitmore, T. C.
Fielden, J.	Winnington, Sir T. E.
Forbes, W.	
Gladstone, right hon. W. E.	TELLERS.
Hardy, J.	Mahon, Visct.
Howard, P. H.	Godson, Mr.

List of the NOES.

Blake, Sir V.	Thorneley, T.
Bowring, Dr.	Villiers, hon. C.
Brotherton, J.	Williams, W.
Cobden, R.	
Evans, W.	TELLERS.
Ewart, W.	Aglionby, H.
Muntz, G. F.	Wakley, T.
Plumridge, Capt.	

Clause agreed to.

On clause 24,

Mr. *Aglionby* said, that by that clause any of the judges either of the courts of equity or common law would be empowered to grant injunctions in cases of piracy. He would beg to ask whether such a proposition was not a new feature rather than a re-enactment of the law of copyright?

Mr. *Godson* believed the power of granting injunctions was at the present time possessed by all the common law judges, though certainly such power was not exercised. He thought that there were many reasons why the power should exist, but, of course, it would be for the Lord Chancellor to propose an alteration of the clause, if he pleased, when the bill

came under the consideration of the House of Lords.

Mr. *Wakley* said, that the plaintiff ought to be prevented from going to the Court of Chancery at all, and be compelled at once to go to the Common Law Courts.

Mr. *Godson* said, that now if a plaintiff went into the Chancery court he would get his injunction, but he would get no damages, and the object of the present clause was to enable him to get both his injunction and his damages in the same court. But if the suggestion of the hon. Member for Finsbury were adopted, a man would be compelled to sue for damages. It would prevent him from being satisfied with the injunction.

Mr. *Darby* thought, that the gift to the Common Law Courts of so large a power for the first time ought not to be granted without mature consideration.

Lord *Mahon* for his own part, concurred in opinion with his hon. Friend (Mr. Godson), but as the new power given to the Common Law Courts was so strongly opposed by hon. Members who had given him their support throughout, he felt bound to consent to the omission of the Courts of Common Law.

Mr. *Jackson* suggested that a middle course between the two parties might be adopted by giving the power to the Common Law Courts only when the proceedings in the case had once been attached to such courts, and they had already gained jurisdiction.

Sir *R. Inglis* supported the suggestion.

Mr. *Gladstone* advised the postponement of the clause.

Viscount *Mahon* thought, after all the discussion, that it would be better to omit the clause for the present, and in bringing up the report it could again be introduced.

Clause 24 omitted.

Remaining clauses agreed to. House resumed. Bill to be reported.

THE PUBLIC-HOUSES BILL.] On the motion for the second reading of this bill,

Mr. *Ewart* thought that a clause ought to be inserted under which coffee-houses should be compelled to close at a certain hour of the night.

Mr. *Wakley* hoped that a clause so inconvenient to the working classes would not be agreed to.

Mr. *Manners Sutton* said, that as the bill at present stood, it contained many objectionable clauses; but, as he understood that these clauses were to be corrected, he did not feel it his duty now to oppose it.

Bill read a second time.

BARRISTERS, (IRELAND).] Sir *V. Blake* moved the second reading of the Barristers (Ireland) Bill. He stated that what he particularly desired to attain by it was, that the Irish law students should not be compelled, as they were at present to come to London for the purpose of qualifying themselves to be called to the Irish bar. There was, he believed, a time when such a regulation was necessary, but that time had passed. Irish lawyers were considered of equal authority with English lawyers, and the student had such means of obtaining a knowledge of his profession in Dublin, that it was unnecessary for him to come to London.

Mr. Sergeant *Jackson* who disclaimed all personal discourtesy to the hon. Baronet, felt bound to oppose the bill. The benefits derived by Irish students from their attendance in London were incalculable, and so they themselves thought, for he had received from the secretary of their body, Mr. Pigott, the son of the late Attorney-general, a letter expressing, on the part of nearly the whole body, their opposition to the bill. This question was not new. It had been canvassed by the Irish Judges, and decided by them in favour of the present system. Rather than the proposition of the hon. Baronet—by which Irish students were not compelled to come to London, he would compel English students to go to Dublin. Besides there were other clauses in the present bill most objectionable. The first was, that all gentlemen qualified to be called to the English bar should be entitled to a call at the Irish Bar. Now this, was not fair unless they allowed the Irish to practise at the English bar. It was not "justice to Ireland." On the whole, he felt it was not his duty to move that the bill be read a second time that day six months.

Motion negatived, Bill put off.

Adjourned.

HOUSE OF LORDS,

Thursday, April 21, 1842.

MINUTES.] BILLS. *Public.*—3ª and passed:—Mutiny; Marine Mutiny.