IMPERIAL PARLIAMENT.

HOUSE OF COMMONS.—WEDNESDAY.

The SPEAKER took the chair at 12 o'clock.

PRIVATE BUSINESS.

The Severn Valley Railway (Extension of Time) Bill was read a second time.

The following select committee was appointed on the Portumna Bridge (Ireland) Bill:—Mr. Hamilton, Sir C. Burke, Mr. Gregory, the O'Donohoe, Mr. Waldron, Mr. Bagwell, and five members to be added by the Committee of Selection.

PETITIONS.

Petitions were presented by Mr. BRISCOE, from the inhabitants of Hythe, Sussex, praying that a jury may be deprived of the support, homage, and patronage of the British Government in India; by Sir J. GOLLVY, from 180 publicans and beer-sellers in Dublin, against the Billiards Act, which subjects them to many undue burdens, which they think should be borne equally by all traders; by Mr. NEWDEGATE, from a number of persons, against the admission of Jews into Parliament, the opium trade, and the encouragement of idolatry in India; by Mr. BULLER, from Eastbourne, Devonshire, against the admission of Jews into Parliament; by Mr. CHILD, from Ellenhall, Staffordshire, and Wilberby, Yorkshire, in favour of the Bill by Mr. BENTINCK, from Yaxham, Norfolk, to the same effect; by Mr. BEACH, from West Tested, Southampton, to the same effect, against the repeal of the Maynooth Act, and for the protection of natives who embrace the Christian faith; by Mr. BLACK, from the lord provost and magistrates of Edinburgh, against the repeal of billeting soldiers in Scotland—from a public meeting held in Edinburgh, against the same Bill; by Mr. DUNCOMBE, from Swansea, Merthyr Tydfil, and Aberdare, in favour of the Welsh Sunday Closing Bill; by Mr. MILNER GIBSON, from the Newcastle Marine Service Association, and merchants, shipowners, and others interested in the port and trade of Swansea, for the repeal of the Navigation Laws—from Beaumaris, by Mr. H. G. LANGTON, from a Baptist congregation in Bristol, praying that measures may be adopted to prevent any interference on the part of the Government of India to repress or promote any form of religion; by Mr. G. DUNDAS, from the trustees of the harbour and the seafaring community, for the establishment of a harbour of refuge at Peterhead.

REPEAL OF THE SEPTENNIAL ACT.

Mr. COX gave notice that on Tuesday, the 30th of March, he should ask for leave to bring in a Bill to repeal the Septennial Act, and limit the duration of Parliament to three years. (A laugh.)

PARLIAMENTARY OATHS.

On the order of the day for going into committee on the Parliamentary Oaths Bill,

Lord J. RUSSELL said that he would state the course which he intended to take in consequence of the appeal made to him on a former night by the hon. gentleman the member for North Warwickshire (Mr. Newdegate). That hon. member had informed him it would be inconvenient to discuss that portion of the bill which related to the admission of Jews on a day when many hon. members might wish to attend her Majesty's levee. He was quite willing to recognise the cogency of the objection; at the same time it appeared to him that it would not be advisable to postpone any further the consideration of the bill in committee—(hear, hear)—but an opportunity would be afforded the hon. gentleman the member for North Warwickshire to propose any alterations in the bill when the report was brought up. (Lord J. Russell) would however state, for the convenience of the hon. gentleman, the alterations which he himself proposed to make in committee, and also the alterations he intended to suggest at a subsequent stage of bringing up the report. It had been objected that the form of oath which he would further than was necessary in re-enacting and affirming the rule for the admission of Jews, and by hon. gentlemen professing the Roman Catholic faith. The only object, however, which he had in view was that the bill should not alter in the slightest degree the existing state of the law. This was a subject of great importance, and he felt that it could be more conveniently dealt with by itself; but in order that they might not seem to be introducing any inquiry given by the act in reference to oaths taken by Roman Catholic members, he was prepared to leave out the latter part of the 1st clause, and in that case the committee might decide that nothing in the act should be deemed to alter the provisions of 10 Geo. 4, c. 7, for the relief of his Majesty's Roman Catholic subjects. It would also be open to any hon. member on the bringing up of the report to move that the words be restored. Again, it was said that the words of the oath in which the person taking it should declare that "no foreign prince, State, or potentate hath or ought to have any power or authority, ecclesiastical or temporal, within this realm," meant to signify that no foreign prince or potentate had any authority over the minds of persons professing the Roman Catholic faith. For his own part he did not think the words bore that interpretation, but it might not be difficult to insert some words in the preamble which might obviate the objection altogether, and declare more clearly the aim and purpose of the language used. The history of early legislation upon this subject appeared to him, that by an act passed in the reign of Queen Elizabeth to the Pope all the rights and privileges taken from him by the Crown. When Queen Elizabeth ascended the throne one of the very first Acts of Parliament passed in her reign was to declare that the jurisdiction of the Pope had no force or authority in this realm, and to restore to the Crown of England the power of which Queen Mary was then declared to be wholly in undue of all foreign jurisdiction whatever. The declaration was made subject to no part of the Roman Catholics, because it was the direct means influence over the minds as well as the persons of those who professed the Roman Catholic faith. The use of the words objected to, and he should give due notice of any other amendments which it might be his intention to propose, but he would not do so if it could be avoided. He would enable the hon. gentleman the member for North Warwickshire to raise the questions upon which he intended to take the sense of the House on the 3rd clause.

Mr. NEWDEGATE thanked the noble lord the member for the City of London for the courtesy he had extended to him, as it would have been inconvenient for several hon. members to have attended the discussion of a great principle on a day appointed for the levee. He was glad the hon. member then proceeded to call the attention of the house to a recent report of the committee on petitions, by which it appeared that a petition originated by the National Protestant Union, and signed by 320 members of the clergy of the Church of England against any measure that might unchristianise the character of the house, was returned as signed by four clergymen only. The reason of this, he believed, was that the signatures were written on small pieces of paper and all required to make up larger sheet containing the petition. He was anxious to call attention to the subject, for he was assured that the gentlemen who signed were all under the belief that their signatures were appended in proper form.

Mr. T. DUNCOMBE said he wished to ask the noble lord the member for the City of London two questions, upon the answer to which would depend the course which it was his (Mr. Duncombe's) intention to adopt in reference to the admission of Jews to Parliament. He could not imagine a more humiliating apology for Jewish emancipation, or a greater stultification of the votes formerly given by the house in favour of religious equality, than the measure now proposed by the noble lord. He would therefore ask whether he wished to ask were, whether, if the bill were passed in its present form, the noble lord could give the house any assurance that the bill would meet with a better reception in another place, for, as far as he could understand, it was not only humiliated the house and stultified its former votes, but held out a very discouraging prospect of success in the opposition. (Hear, hear.) He therefore asked the noble lord whether the bill was at all likely to meet a more favourable reception in another house, and whether, if it were not, the noble lord meant to adhere to his declared intention of bringing forward a resolution under which the House of Commons would be placed if the bill were carried into law.

Mr. B. CARTER, as one of the select committee on petitions, wished to state, in reference to the petition referred to by the hon. gentleman the member for North Warwickshire, that, by the standing orders of the house, no signatures to petitions could be received that were not written on the petition itself, and that the practice of writing signatures on slips of paper, and afterwards pasting the slips on the petition, was a practice strictly forbidden, and could not, under any circumstances, be regarded as a compliance with standing orders.

Mr. HENLEY said the subject was one of considerable importance, and that it might save trouble and disappointment if it were stated that signatures to petitions must be inscribed by the individual approving of the petition, and that signatures written on small slips of paper, and afterwards pasted on, or different signatures written by the same hand, could not be received.

Mr. DILLWYN expressed his entire approbation of the course taken by the hon. member for Finsbury in reference to the questions put to the noble lord the member for the City of London, and moved the adjournment of the debate to order that the noble lord might at once reply to them. (Hear, hear.)

After a few words from Mr. NEWDEGATE, Mr. SCOTT, and Mr. WARREN on the form of signing petitions,

Mr. STEUART asked the hon. member for Finsbury whether, in pursuance of a notice of motion given by him last month for discussing the question of admitting Baron Rothschild by resolution of the house, he intended to take any early opportunity of introducing the subject?

The SPEAKER then left the chair.

Lord J. RUSSELL said—I am now entitled to answer the questions put to me by the hon. member for Finsbury. The hon. gentleman asked me whether I could count on a majority in the House of Lords provided the bill passed the Commons; and, secondly, what course I intended to pursue in case the majority in the Upper House was unfavourable to the measure. With regard to the first of these questions, it seems doubtful who has the majority in this house, of which we all members—(laughter)—and, therefore, it would be presumptuous of me to say who will have the majority in the House of Lords. Peers, from a number of causes, which it is unnecessary to enumerate, have certain peculiar privileges and forms of procedure. (Hear, hear.) With regard to the second question, the noble lord will recollect that the hon. gentleman has applied to the bill, my experience has taught me that it is very desirable, even in cases where the House of Commons has privileges which, if necessary, it can maintain against the Crown or law and otherauthorities in the State, that the decision of this house should be sanctioned by the general assent of Parliament. (Hear, hear.) I find this has been desirable in other cases. I mean the case of Stockdale v. Hansard, which caused a great deal of excitement and disturbance, after a very angry and protracted debate. At the end of the discussion it was thought the best way of settling the matter was to refer the bill to the other House of Parliament for its acceptance; and since then there has been no discussion or difference with regard to the privileges which were claimed by the House of Commons. I find, therefore, that this bill has been framed in a manner which, as far as I can say, is for other Houses of Parliament, and for all disposed, to the admission of Jews, will be most conciliatory and most agreeable. In my view it is better to adopt that than to bring about a discussion between our privileges. For as regards that, sir, it will be admitted that it would be inconvenient to raise that discussion. Therefore, the course which I might propose to proceed—one of which I should be sanctioned by the hon. gentleman the member for North Warwickshire—would be to take the oath, omitting the words "on the true faith of a Christian," and, if he thought it best, would come into collision with the courts of law, because they have had this question before them, and they have decided these words to be useless. The oath, therefore, as it now has the very high authority of the late Attorney-General, is, that this house might, under the authority of an Act of Parliament, take that oath. The question is, if I might substituted for an oath, and that in this way Baron Rothschild, and all those members who preferred such a declaration to an oath, might take it. That is the course which I it is not, sir, convenient to discuss these matters now. When the bill comes on for committee I shall not think it advisable to repeat, or to pledge myself any further; my own opinion is that this bill is the best, the most conciliatory, and the most safe course which could be therefore propose that it now pass through this stage, for I believe upon the whole it will be found that it is most consistent with the rights of this house and the rights and rights of this house, and the general welfare of this country. (Cheers.)

Mr. T. DUNCOMBE thought that the speech of the noble lord afforded a perfect vindication of the course he had taken. The noble lord had in point of fact entirely changed the question that was to be put to the house on that question was as to the fate of the bill in the other house of Parliament. He was of opinion, and so he thought must every one, that the bill would be rejected by the House of Lords as expressed an opinion adverse to the bill, they are unchanged in their opinion regarding the measure of which they had so long disapproved. The request may be safely refused." He wanted to know why and how the opinions of the noble lord had changed? Having carried the measure by a majority of 94 in the House of Lords would not again—the majority of the House of Lords acting on what they believed to be the opinions of their constituents. That was the course he (Mr. Duncombe) he wished to know why it was the noble lord persevered in this mode of introducing the measure? The noble lord on previous occasions, and he (Mr. Duncombe) had moved the motion for the admission of Jews into Parliament which he (Mr. Duncombe) had moved, had been enough to support. That motion was insulting to Roman Catholics and Jews. He (Mr. Duncombe) had given notice of his intention to move that the House of Commons be open to Jews, and in voting for Jew bills any longer. The City of London had upon several occasions elected Baron Rothschild as its representative, and he (Mr. Duncombe) had been proud of the character of the majority of the House of Lords if they would assent to the bill by virtue of any majority of that house. The House of Commons had