

Imperial Parliament.

HOUSE OF LORDS.

JULY 16.

Lord Holland rose to bring forward a motion of which he had given notice, relating to the position in which this country stood in regard to our foreign relations, and concluded by moving for a variety of important documents.

The Earl of Aberdeen did not consider that a discussion of the various subjects alluded to by the noble Baron could be conveniently and safely entered upon at the present moment, and he should therefore oppose the motion.—As to the British Government giving sanction to the course pursued by Don Miguel, it would be only necessary to state that Don Miguel on leaving this country for Portugal, obtained supplies of money through our intervention; but, as soon as he had deviated from that course which it was agreed upon he should pursue, the supplies were stopped; and remonstrance on remonstrance was daily made to him against the career in which he had embarked. He attributed the events in Portugal to the majority of the people not sufficiently estimating the advantages of free institutions. He could assure Lord Holland, with respect to the treaty, that it did not contemplate the dismemberment of Turkey, which he was so desirous of seeing,—so far from it that it was neither the wish nor the policy of this country that Turkey should be weakened. (Hear.) Her independence and station among nations were important for the due preservation of the balance of Europe. Nor was this his opinion alone: it was the sentiment entertained by his Imperial Majesty the Emperor of Russia, who, although he had declared war against the Porte, had expressed himself adverse to its dismemberment. The papers for which the noble Lord had moved were not capable of explaining correctly the subjects for the elucidation of which they were intended. They could shed but at least an imperfect light. The time would come, when the British Government would feel anxious for a full discussion in Parliament of the various topics to which the noble Lord had alluded.

The Duke of Wellington said, whilst transactions were pending, it would be inconvenient, and might be mischievous, to discuss them. One point, however, he would allude to, and that was the war between Russia and Turkey. For fourteen years during which he had been connected with the Government, its most anxious object had been to maintain peace between Russia and Turkey. He spoke in the hearing of many who knew that this had been the policy of the British Government, and that they considered the whole of Europe interested in its success. He had the authority of the Emperor of Russia himself for saying, that he did not desire the dismemberment of the Turkish empire. He would say farther, that the transaction in which he had been engaged had peace for its object; that the preservation of peace was the *sine qua non* of the negotiation; and that he was forbid to enter into any engagement which looked forward to war or violence. He would now briefly refer to the state of Portugal as connected with this country. On the arrival of Don Miguel in Portugal, he manifested an intention of infringing upon or breaking down the then form of government in Portugal, and no sooner did his conduct become known than His Majesty's Government took every means within its power to mark its displeasure at his proceedings. Not only did our Ambassador cause the detention, and finally the withdrawal, of a sum of money intended as a loan for Don Miguel, and the repayment of which had been guaranteed by His Majesty's Government, but every other means within our reach was taken to put a stop to Don Miguel's proceedings. It had been intended that a certain portion of the British troops should remain for some time after the return of the main body; but no sooner did it occur that the continuance of any British force in that country might be construed into an acquiescence on our part of the revolution which Don Miguel was evidently desirous of effecting, than every British soldier was withdrawn. From that moment to the present the tendency of every act of England had been to show her entire disapproval of the conduct of Don Miguel. It had been the uniform policy of this country not to interfere in the internal government of any nation, and the express instructions given to the commander of the expedition sent to Portugal, were to abstain from any the slightest interference in the internal affairs of the country, and to give no

encouragement whatever to any one party as opposed to another. Having recognised the Sovereignty of Don Pedro, and consequently the Sovereignty of his daughter, arising out of the abdication of her father, we must wait to learn what course the rightful sovereign will take with respect to the recent events. Until His Majesty's Government shall be acquainted with the inclinations and intentions of Don Pedro, and his means to carry them into effect, it was impossible for him to say what course policy and prudence will require it to adopt. The noble Duke concluded by justifying Ministers in not agitating the question at present; no other exposition of our foreign relations they could with propriety make; and they did not mean to ask for a vote of credit, for they wanted none.

After a few words from the Marquis Lansdowne, Lord Goderich, and Earl Dudley, the motion was put, and negatived without a division. Adjourned.

Summary.

The important project of law on the periodical press has passed the Chamber of Peers without any amendment. Thus the Censorship, the monopoly of the Journals, and the law of tendency are forever abolished in France. Though the present French Ministry had achieved nothing more than this, they would have deserved the eternal gratitude of their country.

An amusing account is given by the Calcutta Gazette, of a visit paid by Lord Combermere to the Sovereign of Delhi. After the exchange of the usual presents, consisting of valuable coins, clothes, garments, jewels, elephants, and horses, his Majesty conferred on his Lordship the dignity of the Fish and Kettle-drum, the rank of the Seven-thousand, and eleven titles besides, among which is that of "the World."—*Times*.

MR. O'CONNELL.—The "agitator," declares that "he will never stand a night in the House of Commons that he will not endeavour to expose the abominable corruption by which parliamentary representation is jobbed away from the people." He may make this declaration safely enough; for he is fully aware that within the parliamentary walls he will not sit. But will this ranter allow us to drop him a hint?—We know something of Parliament, and of the talents which are necessary to procure attention there; and we can assure him, were he in the House of Commons to-morrow, that after a few efforts, in which he would receive liberal treatment, (perhaps an ill suppressed laugh or two, which would be checked by the cry of Order,) he would be quiet enough for all the rest of his parliamentary career.—*ib.*

AMERICAN TARIFF.

Mr. Huskisson, in moving for copies of the American Tariffs of 1824 and 1828, contended that the imposition of heavy duties on British goods was contrary to the faith of existing treaties. He said that the power of amply retaliating was in our hands. Tobacco and Rice we could procure from India and from South America, and cotton we might, were the growth encouraged, also procure from India in as great perfection as from America.

Mr. Peel had no objection to the production of the papers required. He thought they had been framed, not from a retaliatory spirit, but with a view to encourage the manufactures of the United States. He hoped, however, that the suffering that must ensue from these measures would lead to their abandonment. He agreed, however, that it would be carrying liberality to an extreme to continue to give a preference to America after what she had done. It was impossible that the reciprocity system could be extended to a nation that took all our favours and returned none. After a few more observations the motion was agreed to.

In a conversation in the House of Commons, June 24th, on the subject of Emigration, arising from a motion made by Mr. Horton, Mr. Peel said, "that with respect to the question of Emigration itself, he must say that he thought it one of the greatest importance: To the plea of general Emigration he would pay no attention at present, but he thought that a scheme of details for a well regulated partial Emigration would deserve the consideration of Parliament, and its operations would, he was sure, bring much benefit to the Colonies."

On motion of the Chancellor of the Exchequer, the House went into a committee of the Welland Canal.

It was resolved, "that a sum not exceeding 50,000*l.* be granted (in advance) to the King, for the purpose of enabling the President and Directors of the Welland Canal Navigation to finish the work connecting the waters of Lake Ontario and Erie.

The House resumed, and the report was ordered to be received tomorrow, (this day).

MR. O'CONNELL.

To the Editor of the Morning Herald.

Sir,—As the argument of Mr. O'Connell seems to be but little understood—received, as it is, with warmth by his friends, and contempt by his enemies—it may be worth while for a dispassionate lawyer, to show the public, through your means, that there is some legal foundation for his hopes, but not sufficient to justify the zeal of his friends, though more than can be removed by silent contempt. That Roman Catholics were excluded by the law of Great Britain from sitting in Parliament is admitted by all, but Mr. O'Connell argues that this was by a statute passed before the Union took place, and therefore, unless it be re-enacted *entirely* by the articles of the Union, or by the Parliament of the United Kingdom of Great Britain and Ireland, it does not affect the Irish. There is no doubt that, so far, Mr. O'Connell will have the assent of every English lawyer. This was established first by the celebrated declaration of rights voted by the Irish Parliament in 1782, and assented to by that of Great Britain by the repeal of the obnoxious act of 6, Geo. I. "for securing the dependence of Ireland;" and secondly, by the course of legislation adopted by the Parliament of the United Kingdom, which has expressly enacted what statutes of the realm which were in force before the Union, should apply to Irish Members of Parliament. The exclusion, then, of Mr. O'Connell, must arise from the act of Union, or by subsequent statutes. By the fourth article of the Union, it is enacted, "that every member of the House of Commons of the United Kingdom, in the first and all succeeding Parliaments, shall take the oaths, and make and subscribe the declaration, and take and subscribe the oath *novi by law enjoined* to be taken, made and subscribed, by the Lords and Commons of the Parliament of Great Britain." It is true no Roman Catholic can make the declaration we allude to, and yet upon this article Mr. O'Connell builds his hopes. He says, "It only directs the oath and declaration; but it ascertains no penalty, it creates no disability." If the article had stated that the declaration should be made "as," or "in the manner," or "at the time" by law enjoined, it must have been made by every member before he took his seat, because it was so by law enjoined. But a refusal of an oath, or declaration, enjoined by statute, is but a disobedience to an act of Parliament; and the only punishment known to our law for this offence, is fine and imprisonment, in consequence of an indictment preferred and proved; but at the common law it works no disability; and therefore, though Mr. O'Connell may be subject to a fresh indictment for every refusal, yet there is nothing incapacitating in the consequences of it. If, however, a different interpretation should prevail, and by the words "by law enjoined," the whole of those statutes which enjoined the oaths, and the declaration, should be considered as re-enacted by the act of Union, and applicable to Ireland; it may be worth while to Mr. O'Connell to regard the danger of his situation in approaching the House of Commons as a Roman Catholic, particularly as this interpretation is sanctioned by the usage of the act of the United Kingdom; and usage is a great interpreter of law. The declaration is founded on the 30th Car. II. c. 2, and the oaths on the 1st W. and M. c. 1, s. 1. The penalties imposed by the former on any member of the House of Commons offending against its provisions, are, that he shall be adjudged a Popish recusant convict, and shall forfeit and suffer as such; that he shall be disabled to hold or execute any office or place of profit or trust, civil or military; that he shall be disabled to vote or sit in Parliament, or prosecute any suit in equity, &c. and forfeit 500*l.* for every wilful offence.

Thus the law stood at the time of the Union; and as it is well known that one great argument for that measure was, that Catholics would then have a better prospect of admission into Parliament, which they were excluded from by the Irish Law, it is singular how Mr. O'Connell can possibly expect to evade the following law, which passed in the first Parliament of the United Kingdom; for he admits that Catholics were excluded from the Irish Parlia-