

## EUROPE.

ENGLAND.

*(From the London Sun.)*

### COURT OF CHANCERY.

The Lord Chancellor came down at half past nine o'clock to deliver some judgments which he had appointed for this morning, and to conclude his public sitting prior to the long vacation. The report of the judgments, from want of time, we shall not be able to give till to-morrow; but the following gratifying statement, which his Lordship made on taking his leave of the Bar and the suitors, we are anxious to take the earliest opportunity of publishing.

His Lordship, after having gone through his paper, said, it is a great satisfaction to me in taking my leave of the Bar, and of the suitors, to know that I have been able to dispose of all the arrears of the business of this Court, and that there are no appeals and no petitions, no cause now unheard except those that are not ready, and which have been put upon the files of the Court subsequent to last June. It is a very great relief to the Court—it will be a very great relief to the Bar—it will be a very great relief to professional men, as I know it will be a very great relief to the suitors—for them to feel that they shall have their business henceforward regularly going on, not encumbered by arrears, and not having their minds oppressed with the harassing prospect of never getting through their business. In the course of next term the benefit of all this will be felt, and it will be found that the time has been well bestowed, which we have been lately occupying, though it may have pressed hard upon the Bar, upon suitors, and upon other professional men, who have been anxiously attending the Court. It has pressed hard also upon the Court, but I have been willing to bear that pressure, knowing well that the public will feel the full benefit next term. It was said to a great man, the most illustrious of all my predecessors, that he allowed the pressure of business upon him to be more than he could bear; to which he replied, "the duties of life are more than life,"—memorable words to be had in everlasting remembrance by all men who serve their country. The kindness and attention I have received from the Bar are such as to require my most grateful acknowledgments, which I now respectfully offer.

I beg leave to add, that I have now the most sanguine hopes of being able to relieve His Honor the Vice Chancellor from hearing the greater part of such causes as have been heard by him since the year 1813. The appeals which I have disposed of within these few months have been 120; 103 of those have been fully argued and decided—indeed all of them, except Miller v. Travers, which stands for the opinion of the two Judges, who assisted me in it. I find the time taken in the arguments upon the appeals, the average time being several hours to each, shews that every one of them were cases of importance, and that there has been no short cause heard by way of appeal before me. This has been the cause of the length of time that has been occupied in getting through the long and heavy arrear—the arrear of years.

When I look into this statement I find also that in the proportion of six to four, or of three to two, are the number of appeals from His Honor the Vice Chancellor to those coming from the Master of the Rolls—arising, no doubt, from the great number of causes decided in the Vice Chancellor's Court, and from that circumstance only. It is clear therefore, that at least three months of the time of this Court would have been entirely saved if that arrangement could have been made, which (foreseeing this) I proposed, but unsuccessfully propounded, when I came into the Court. I thought that every cause which was either of some importance in point of value, or difficult in point of law or of fact, that came before their Honors the Master of the Rolls and the Rolls and the Vice Chancellor, almost inevitably found its way here by appeal—and generally, certainly in the majority of cases, only led to great expense, great delay, and great inconvenience, whether there should be an ultimate affirmation or reversal. I proposed, therefore, that all causes of difficulty and importance, in point of value, or from the law applying to them, should at once be transferred here and heard by me, as thereby the inevitable appeal would be averted. The event has justified my prospective conjecture, and leads me now to form the plan which I shall certainly adopt, namely, that of transferring at once the bulk of that business into this Court. Such a result was long ago foreseen by eminent men.

It was the opinion of Sir Samuel Romilly—a most venerable name—it was the opinion of Sir John Leech, then Member of Parliament, and of many others, that the erection of a Court for His Honor the Vice Chancellor would have, among other things, the effect of increasing litigation, and that a mass of business which did not then exist in Chancery, would be added to the business of the Court. How far that conjecture has been proved by experience must be visible to all men, since 64 out of the 108 contested appeals were from His Honor the Vice Chancellor, and which have taken up three months' constant, laborious, and expensive attendance to all the parties concerned. If, however, this arrangement can be made, which I look forward confidently to accomplishing, I shall then deem it to be my duty to give to the suitors the full benefit in all difficult and important cases, of having three Judges instead of one to hear their causes. If this cannot be done by the law as it now stands, I trust the Legislature will assist me in effecting it. My opinion is that it can be done without altering or adding to the law as it now stands. I have the power at present to ask for the attendance of any or all the Judges in Westminster Hall, and I know not why I should not have the power of asking to be assisted by the presence of the Master of the Rolls and Vice Chancellor when necessity requires. Other Chancellors have had the Master of the Rolls to sit for them when absent; I have never required that, and I trust I never shall; but I think I may have the assistance of their Honors on hearing causes of extraordinary difficulty and importance. The bulk of the cases that are appealed from are not of extraordinary difficulty or importance, but in all cases of that class the suitors shall have the benefit of the other equity Judges being present.

There are two or three branches of judicature in which the presence of three Judges is infinitely better than that of one; first when conflicting facts are to be discussed, a conflicting evidence to be heard; a Jury is the best forum for such a case—a single Judge is perhaps the worst, but three men, with minds variously constituted, are much more likely to come to a satisfactory conclusion than a single individual. The next is, where any thing like discretion is to be exercised, either in awarding damages, or saying what costs are to be paid, which is often a very important, if not unfrequently difficult and delicate inquiry, as too many cases are brought and kept up merely for the sake of the

costs. The duty of the Judge there is somewhat like that of assessing damages, and in the exercise of such discretion it is better to have three Judges than one. Last of all, where there are great and difficult and important points of law and equity to be settled, it is much more satisfactory to suitors, and to the profession which cultivates the sciences, to have that law considered and settled by more judges than one. These, then, are the considerations which principally move me to the adoption of the resolution I have formed. But, at the same time that I stop the great bulk of business going before his Honor the Vice Chancellor, I shall not deem it necessary to recommend elsewhere that any step should be taken at present to terminate his Court, though in the 53d year of George III. it was expected it would end in getting through the arrears. Though we have now got through the arrears, I do not yet see my way to that which, as an ultimate result, must be deemed highly desirable. His Honor, the Master of the Rolls, is more sanguine as to the speedy accomplishment of it than I am—but still I do not shut out from my mind the indulgence of the hope that I may see its termination at a very distant period. As long, however, as that Court shall continue to exist, I shall endeavour to avail myself in all difficult and important cases, of the assistance of that most learned, excellent, and able Judge in this Court.

I have said thus much because I thought it fit, before terminating business, to let the profession know it was not for nothing that I had imposed on them the hardships of these long and painful sittings: sittings, however, not much later than Lord Eldon has sat, for he having sat to the 29th of August; I have sat only two days longer. At the same time I admit that though I have sat only two days later than usual, yet I have sat many more hours in the course of the day, and I am aware of the embarrassments and inconveniences that this may have caused—I am not however, aware that its tendency has been to abridge arguments in any case, for I am sure I have endeavoured to show as much patience as any man could possess, that I might not indicate the slightest indisposition to hear the longest arguments. Even when I have thought argument superfluous, I have hardly ever stopped the reply, in cases where I have been in favor of the side on which the cause was to be made, and still more rarely have I disposed of cases on hearing one side only. I, therefore, cannot charge myself with having got rid of this arrear, and accomplishing this dispatch at the expence of curtailing the hearing of causes. The best proof in the world of this is that one of the last I heard took up eight hours,—the one preceding it took seven hours, and another immediately before it took six hours. Three causes therefore took upwards of 21 hours in being argued at the conclusion of the sittings, which surely is a proof that there was no great desire on my part to curtail the arguments, or not to hear Counsel. The profession, therefore, and the Bar, I am sure, will rejoice as well as myself when we find we have not attended in vain, while we very soon shall witness the benefit conferred upon the country by having got rid of this accumulation of business; and also in the prospective arrangement touching the Vice Chancellor's Court, to prevent delay and unnecessary expense, to raise the character of the Courts of Justice in this country, and to answer the arguments used by persons unconnected with them—arguments so frequently levelled against the legal profession at large. The profession will feel not only that comfort and peace increased, but even their own character exalted. In conclusion, I have to state, that as long as I remain in town, which must be for some weeks longer, I shall devote one day in every week—Saturdays—to hear motions. I shall hear them in a private room; and I entreat suitors not to depend on Counsel who are absent, or to get Counsel to remain in town for the purpose, but to take such Counsel as are in town. I have made inquiry, and I find that there will be several Counsel of the greatest ability remaining; and I will hear them upon any motions by consent, provided notice be given on the Wednesday preceding to one of my officers. I have directed an order to be made to that effect. I do not mean to make any private arrangements a consideration, but I wish to have the notice of the motion sent to me on the Wednesday, that I may arrange respecting my attendance in the House of Lords, because I am about now to sit from day to day in the House of Lords during the remainder of the Session; but I shall not sit there any Saturday when my attendance may be required here. I think this Court, sitting by one of its branches throughout the vacation, for the purpose of hearing pressing applications, is one of the most essential reliefs that can be afforded to the suitor, and is almost essential to the useful existence of the Court and the due discharge of justice. It was a remark of a learned and venerable friend of mine—one among the greatest sages of the law, I mean Mr. Jeremy Bentham, that one of the greatest evils arising from vacations was the shutting up the Courts at the very time when suitors might have the greatest occasion to require access to them. I don't think I can subscribe to the whole extent of his doctrine on this point; but, undoubtedly that there is a great benefit to be conferred by keeping always open some part of the Court for pressing business, I must entirely agree with him in holding.

His Lordship then bowed to the Bar and to the suitors and withdrew. Every person who heard him appeared to be highly gratified with the eloquent and highly satisfactory address which he had just delivered.

*(From the London Sun.)*

There have been few Cabinets in France more inclined, from supposed motives of interest, to cultivate a good understanding with Great Britain than that of M. Casimir Perier, and we are willing to allow to that Cabinet the credit, if such it be, of seeking to identify its policy with that of England throughout the whole of the transactions connected with the establishment of Leopold on the Belgian throne, and the protection of Belgium against the Dutch invasion. How durable such good understanding may be depends, in a great measure, upon the stability of the Perier Cabinet, which is, therefore, a point of considerable interest to this country.

The leading principles of the Perier Adminis-

tration, are at home, the conversation of things as they are, or rather as they were before the revolution of last year, with little modification beyond what may be necessary to maintain the sovereignty of the Citizen King, and abroad, the preservation of peace at almost any price at which it can be purchased. The Ministers are men of much political experience, abundant in liberal professions, and, in so far as they are desirous of guarding their country against a repetition of political convulsions, are deserving of support by good citizens. We are not called upon to decide whether they, upon the whole, merit what share of confidence they possess; but we cannot avoid entertaining the strongest doubt of the permanence of a power in France,

which is unsupported by the full force of the national opinion. The speeches of the Ministers on the subject shew clearly that they are either ignorant of, or wilfully blind to, the objects for which the people effected the Revolution of last summer. Those objects may be expressed to be the recovery of liberty and equality, as established by the constituent assembly in 1791. The people were determined to have a struggle for the power of governing themselves, and for the putting an end to a system under which not the three hundred and eightieth part of the population enjoyed the elective franchise—under which existed a Peership whose degrading subserviency placed it in opposition to the public interest—under which the Mayors and ministers of justice were universally the creatures of the Government instead of the nominees of the people—under which the liberty of public instruction and the freedom of exercising trades were alike circumscribed—under which an oppressive interference of the Clergy in temporal matters was not duly controlled—under which, in short, the people daily saw their interest sacrificed for the benefit of the order of placemen with which the Government was surrounded. It can hardly be possible that the details of the popular grievances under "George, George," and we advanced about two paces into the room. I then saw the deceased lying on the floor, with his face downwards, in a complete pool of blood. Miss Calcraft, in the greatest agony, threw herself on the body of the deceased, crying out, "Father, Father," five or six times. She directed me to run with all possible despatch, and fetch somebody. I went instantly, leaving her kneeling by her father. In the course of a few minutes, Mr. Freeman, a medical gentleman, arrived; but prior to his arrival I had returned and got into the house, having taken the precaution not to shut the doors. I went instantly into the bed room of the deceased, and found Miss Calcraft still kneeling over the remains of the deceased, screaming and crying. She requested me to lift the body on the bed, which I was unable to do. As soon as Mr. Freeman arrived, he proceeded up stairs to the deceased's bed room. Miss Calcraft was still there, and it was with extreme difficulty that Mr. Freeman prevailed upon her to retire. Mr. Freeman then examined the body, and said, that the deceased was quite dead, and consequently he could do nothing for him. Whilst the examination was going on, Miss Calcraft again entered the apartment, and reluctantly quitted it again; as soon as she was gone out, I and Mr. Freeman lifted the body on the bed. On lifting him up, I saw a dreadful gash in his throat, and he had a bloody razon firmly grasped in his right hand. It is my own conviction that he committed the act himself.

**CORONER.**—Have you observed any difference in his behaviour lately?

**Witness.**—I have seen a great difference within the last three or four months; he appeared low and dejected, which I remarked to my fellow-servants.

**CORONER.**—Did the loss of his situation, as Paymaster of the Forces, appear to affect him?

**Witness.**—I cannot say.

**Alexander Philip Wilson Philip, M. D.**, of Cavendish-square, examined.—I have been in attendance upon Miss Calcraft for some months past, when, during my visits, I had an opportunity of seeing the deceased, who appeared low-spirited, which increased to such a degree that about three weeks ago he was confined in his bed with slow nervous fever and aberration of mind. I prescribed for him, and in a short time the fever left him, and the aberration of mind settled down into a deep melancholy, when I cautioned Miss Arabella Calcraft to look well after him, lest he should do mischief. The last time I saw the deceased was on Friday, and he was then certainly labouring under great depression of spirits, and this depression of spirits, when compared with his late aberration of mind, leads me to the conclusion that at the time he committed the act he was labouring under a momentary return of that aberration of intellect, and that in fact he was at the time of an unsound mind. I feel convinced that the deceased committed the act himself.

**Juror.**—Did he ever feel disappointed at not being elevated to the peerage?

**Witness.**—I believe he never had any expectation of being raised to the peerage. He had latterly fancied that he was continually watched by a man sitting on the top of a house. The deceased was a thorough believer in religion.

The coroner having summoned up the evidence, the jury returned a verdict—"That the deceased committed the act himself, he being at the time in a state of temporary mental derangement."

The death of Mr. Calcraft causes a vacancy in the representation of Dorsetshire.—*Leeds Mercury.*

### IMPORTANT FROM ENGLAND.

The Packet brought London Papers to the 9th ult., two days later than previously received. The Reform Bill has been lost in the House of Lords.—The debate on the motion for a second reading was continued up to the morning of the 8th when the House dividing there ap-

### Against it—

Present 150  
Proxies 49-199

### For it—

Present 128  
Proxies 90-158

### Majority 41

The number of Lords spiritual and temporal is 420, of whom 12 are minors, and about twice that number are disqualified by absence and other causes.

On the Lord Chancellor's declaring the state of the numbers no expression of feeling took place; and their Lordships immediately adjourned, at a quarter past six.

Various reports were in circulation as to the course which would be pursued by his Majesty and Ministers, but nothing which could be relied upon appears to have been publicly known; it was however, general believed that Ministers would retain their places.

The "Standard" says—"Immediately after the division this morning, orders were issued to prepare the House of Lords for the reception of His Majesty, and it was very generally believed that Parliament would be prorogued this day. It is, however, as we have before said, not probable that the prorogation will take place until Thursday next, even if it should so soon. A messenger was despatched to Windsor to convey the intelligence of the rejection of the Reform Bill to the King. A Cabinet Council is summoned for three o'clock, but up to the time of our going to press no instructions had been issued for summoning a Privy Council, which is held previous to the prorogation, or at all events, that ceremony has hitherto been deemed indispensable.

### LONDON, October 7.

**Postscript.**—All the evenings of the week have been occupied in the Lords by the debate on the Reform Bill. The number of speakers have been remarkably few. On the side of the anti-reformers, Lords W. Barnet, Falmouth, Winchelsea, Dudley, Carnarvon, Harrowby, Haddington, and the Duke of Wellington, have spoken. On the opposite side, Earl Grey, who moved the second reading, Lords Melbourne,

Lansdown, Radnor, Goderich, and Plunket, have been the speakers.

**IRON TRADE.**—Such is the ruinous depression on this branch of manufacture at the present time, that pig iron, which cannot be sold less than 4*£*. per ton, so as to remunerate manufacturer, may now be bought at 2*£*. 10*s.* per ton.

During the last twelve months, the list of admirals has decreased 5; of Vice Admirals 2; of Rear Admirals 3; of Retired Rear-Admirals 2; 2; of Retired Captains 2; of Captains 14; of Commanders 10; of Lieutenants 61; of Masters 3; of Chaplains 4; and of Assistant Surgeons 21; but there is an increase of 5 Purser—making an annual saving of £21,769 5*s.* on the half pay and pensions of the Navy alone.

**Crix.**—Crix, Friday, 12 o'clock. Within the last few days there has been a very considerable decline in the price of English securities; Consols for account have been as low as 80*s.* but closed yesterday at 81*s.* though with a dull appearance. Speculation seems to have been entirely abandoned at the Stock Exchange, at least until after the division in the house of Lords on the Reform Bill shall have been made known; and to the absence of speculation, rather than foreign politics, may be attributed the decline.

Couriers are kept in a state of readiness at the residence of the principal foreign Ambassadors, to convey to their respective Courts the results of the debates in the House of Lords on the Reform Bill.

We regret to hear that the Honorable C. Douglas, M. P. for Lanarkshire, is confined to his residence in Berkeley square, with very slight hope of his recovery.

**Crix.**—Crix, twelve o'clock.—The rejection of the Reform Bill has had slight effect on the Consol market. The price for the Account at the commencement of business was 80*s.* from which it declined to 80*s.* and is now 80*s.*

**Two o'clock—Consols for Accounts are 80*s.***

Our foreign arrivals last night were numerous, luckily, under existing circumstances, of negligible importance. The only fact worth noticing is the prolongation of the armistice between the Belgians and Dutch, which is now run again from the 10th to the 25th inst. Of this there is no longer a doubt, as it has been officially announced in the Chamber of the Legislature; otherwise these papers communicate nothing new, and we state in sorrow, convey nothing cheerful with respect to poor Poland, whose fate seems now sealed for ever.

**FALMOUTH.**—October 8.

We stop the press to give insertion to the following letter from a gentleman in London:

"House of Commons, Thursday evening, 4 to 7 o'clock.

"I have merely time to inform you, that very bad accounts have been received from Scotland this morning by government. The greatest state of excitement exists in Glasgow, and the other manufacturing towns, but the agricultural counties are tranquil. The 9th regiment has been dispatched by sea to Leith, and Col. Arbuthnot, M. P. has just left town to join it. All other officers have been ordered to join their regiments in Scotland. The government is determined to be prepared for an explosion.

"I believe I may say positively that the reform bill will be thrown out by the House of Lords. The ministers have lost three of their supporters this morning, and by the latest calculation I have seen, I believe they will be defeated by about 30 or 35 votes. I hope some compromise may be entered into, by the two parties in the country, for no one can blind himself to the excitement that exists throughout the empire. It is supposed that the debate in the Lords will end to-morrow, but I scarcely think it will terminate so soon. They are at this moment re-convoking petitions.

The House of Commons is occupied in a debate on the Tithe Question, on the presentation of an Irish petition. The bankruptcy bill will no doubt pass into a law.

"Great crowds are assembled round the House of Lords but no insults have been offered to the anti-reformers. Sir Peter Laurie has lost the Majority.

"It is supposed that Lord Ebrington will move on Monday, if the Reform Bill is thrown out, that Ministers has the confidence of the country. I suppose in that case they will tender their resignation to his Majesty, but I do not think they will be accepted.

**LONDON MARKETS.**—Tuesday, October 4.

The Colonial markets this morning are looking more firm; but the transactions have not yet been large. The deliverers of British Plantation Sugars last week from the West India Docks exceeded 1,700 casks; and the stock is now nearly 47,000 hds., and 4,100 tuns. The refined market is firm.

**Coffee.**—The purchases of Coffee for export continue pretty large for the Hamburg and Baltic markets. The late advance in Jamaica is maintained.

**Corn Exchange.**—October 5.

There are very few arrivals this week, and business at market is completely at a stand; the prices quoted are nominally as on Monday last, American 3*s* to 3*s*.