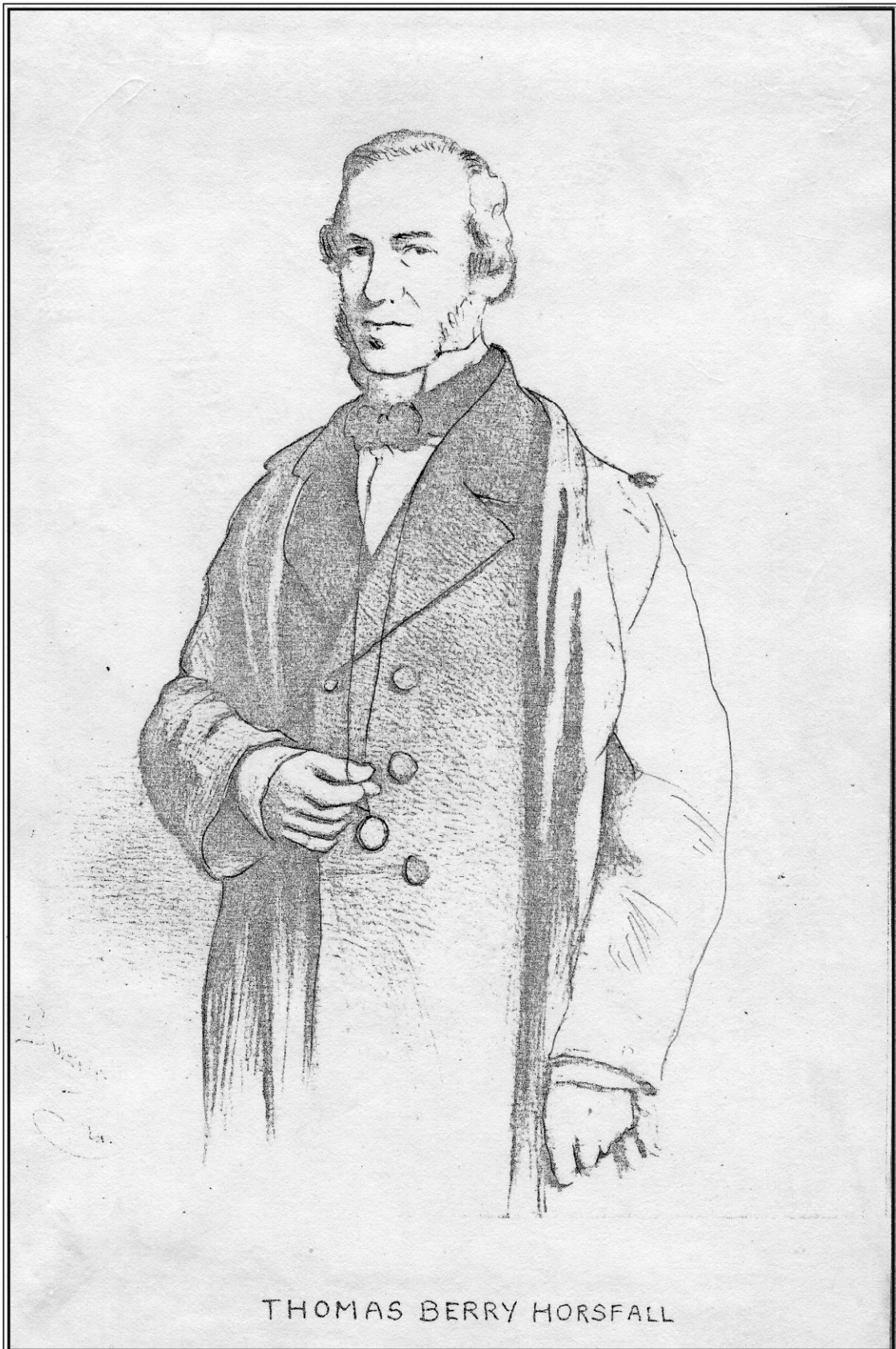


Mr Thomas Horsfall 1805 – 1878
Member of Parliament 1852 - 1868



**Transcripts from HANSARD of the 177 occasions
he spoke in the House of Commons**

Mr Thomas Horsfall 1805 – 1878

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Mr Thomas Horsfall 1805 – 1878

Member of Parliament 1852 - 1868

Constituencies

Derby July 7, 1852 - March 31, 1853

Liverpool July 9, 1853 - November 17, 1868

Transcripts from HANSARD of the 177 occasions he spoke in the House of Commons

M.P. for Derby July 7, 1852 - March 31, 1853

Commons November 29, 1852

THE DERBY ELECTION.

MR. HORSFALL

said, he quite agreed with the hon. and learned Gentleman (Sir A. Cockburn) that the sitting Member could not be injured by any clear statement of fact in that House, and he did not complain of any statement of fact, but he thought he had a right to complain of some statements which the hon. and learned Gentleman had made, and which were not facts. He acquitted the hon. and learned Gentleman of intentional misrepresentation; but when the hon. and learned Gentleman relied on one statement which related to him (Mr. Horsfall) as an important link, connecting the sitting Member for Derby with the transaction, and on another statement as making the impossibility of a conspiracy conclusive, he thought it only right he should endeavour to point out that the hon. and learned Gentleman's chain had a broken link in it, and that the 750 conclusion he had drawn was by no means satisfactory. The hon. and learned Gentleman had relied on the fact that he (Mr. Horsfall) was staying with his excellent and worthy friend Mr. Henry Cox, as showing that he (the sitting Member) was a party to the transaction alluded to in the petition, because Mr. Henry Cox was one of the firm of Cox, Brothers, and Co. He begged to set the hon. and learned Gentleman right on that statement. Mr. Henry Cox was not a partner in the firm at all. The hon. and learned Gentleman adduced it as most conclusive against the possibility of conspiracy, that Mr. Forshaw, his (Mr. Horsfall's) solicitor, attended before the magistrates upon the examination of Morgan. Mr. Forshaw attended, not to defend Morgan, but simply at his (Mr. Horsfall's) request, to see that nothing was said or done which was prejudicial to him (Mr. Horsfall). Having said thus much, he did not mean to enter into the circumstances of a case which would so speedily come before a Committee; but this he must say, that highly as he valued a seat in that House, and still more highly as he valued that honour in connexion with the borough of Derby, he should consider it dearly bought if he could participate directly or indirectly in such proceedings as those which had been alluded to.

Commons February 22, 1853

CUSTOM-HOUSE REFORM.

MR. HORSFALL

said, that a Committee of that House had sat for a considerable time for the purpose of considering the present constitution of the Board of Customs, and the system pursued by them, with a view of remedying the evils complained of by the mercantile body. He believed the late Government had intimated their intention to introduce a measure on this subject, and he wished to ask the right hon. Chancellor of the Exchequer whether it was the intention of Her Majesty's present advisers to introduce such a measure, and, if so, when?

M.P. for Liverpool July 9, 1853 - November 17, 1868

Commons July 15, 1853

MERCHANT SHIPPING BILL.

MR. HORSFALL

repudiated, on the part of the shipowners of the country, the imputations thrown out by the hon. and gallant Member for Brighton (Sir G. Pechell), that they wished to obtain the assistance of the officers of Her Majesty's Navy without any remuneration. He was sure he was speaking the sentiments of his constituents when he said they were most anxious that Her Majesty's officers should be placed upon precisely the same footing as any other party claiming salvage; that they should not be debarred the right of salvage which the right hon. Baronet (Sir J. Graham) had said they might claim under the common law. He dissented altogether from the observations which had fallen from the hon. Member for South Shields (Mr. Ingham), that ships had a right to claim the assistance of Her Majesty's officers in rescuing property, without being bound to tender remuneration. They had a right to claim their assistance in the protection of life and property from a foreign enemy, because they paid their share of the public taxes for that purpose; but they had no right and no wish to claim the services of the Navy without returning fit and proper remuneration. Were it otherwise the system would be unjust and contrary to sound policy.

Commons August 1, 1853

MERCHANT SHIPPING BILL

MR. HORSFALL

said, he was also of opinion that the right hon. Gentleman the President of the Board of Trade had not met the case fairly by stating that the Navy had a set-off on the ground of having done service to the mercantile marine. There was, however, a great difference between allowing a vessel of war to

accept the men, and enabling her to take them. He believed, however, that the evil was not quite so great as many of the shipowners imagined, for it appeared by the returns recently published that the number of seamen who had been so taken was exceedingly small. The principal evil consisted in the fact of the seaman knowing that as soon as a man of war hove in sight he was at liberty at once to go on board her; and he had it upon the authority of masters of vessels themselves, that this frequently produced a degree of insubordination amongst their crews that hon. Members could have no conception of. He was certain that whenever a merchantman fell in with a man of war in want of hands which she could supply, she would gladly do so at all times; and he believed that there was such a good understanding between the two services that there was no necessity for a law of this sort.

Commons August 5, 1853

SUPPLY—MISCELLANEOUS ESTIMATES

MR. HORSFALL

said, that the real question was whether distant counties ought to be called upon to pay for the luxuries of other parts of the country.

Commons August 8, 1853

CUSTOMS BILL.

MR. HORSFALL

said, although the Bill he held in his hand contained 355 clauses, little need be said by him beyond thanking the Government, and especially the hon. Secretary to the Treasury, for the large measure of relief the Bill afforded to the commercial community of this country. He was happy to think that, ever since the accession of the present Chairman of the Board of Customs, means had been used for gradually improving the regulations of that Board, and he looked upon this Bill as one of the greatest boons ever conferred on a trading and commercial community. Not less than from 1,000 to 1,500 Acts of Parliament were either repealed or consolidated by this Bill. The object of the present Bill was to simplify the law, and that object had been happily accomplished. His constituents had gone through the whole of the clauses, and he rejoiced to say that it met with their hearty approval. With regard to the Amendment of the hon. Member for Southwark, he believed there was a disposition on the part of the Government to do justice to the officers. He wished, however, to offer one suggestion to the Government. He thought the Chairman, or one of the Commissioners of the Board of Customs, ought to have a seat in the House of Commons. If anything connected with foreign affairs occurred, the Secretary of State of that department was present to give explanations; if anything relating to the Home Department happened, even down to the case of a cabman, there was an opportunity of questioning the Home Secretary; and so in regard to our Colonies; but let the most important questions arise connected with the commerce of the country, and that great interest was found to be unrepresented in that House.

Commons February 3, 1854

MERCHANT SHIPPING AND PILOTAGE.

MR. HORSFALL

said, he did not rise for the purpose of taking exception to a single observation that had fallen from the right hon. Member for Oxford, but rather to express a hope that ample time would be afforded before the second reading of the Bill for a full consideration of its details. He should also venture to say, that he trusted the right hon. Gentleman would take care that provision should be made in the Bill to render any evasion of its enactments a matter difficult, if not impossible. He made that observation, because he had reason to believe that an evasion of the existing navigation laws had taken place within the last week in Liverpool. He alluded to the fact that a Russian vessel of between 400 and 500 tons burden had been transferred from the owners to a publican in that town for a nine months' acceptance upon a penny stamp. He had been led to understand that the vessel in question was fitted out for a voyage to Brazil, to be commanded in that voyage by a Russian captain, manned by Russian officers and seamen, and that it was intended she should sail under the British flag. That such circumstances as that to which he had just called the attention of the Committee should be permitted, was not, he believed, contemplated in the changes which had taken place in the navigation laws, and he trusted that in the measure which Her Majesty's Ministers were about to introduce in connexion with those laws, provision would be made to guard against the recurrence of such proceedings. The right hon. Gentleman had, among other things, made some observations with regard to the melancholy accident which occurred in the case of the ship *Tayleur*. Now, in this vessel, instead of the large proportion of Lascars and Chinese that had been alleged, there were in reality only fourteen foreign seamen—a number which she might have carried under the old navigation laws. He was also happy to be enabled to state that the vessel was fitted out in the most perfect manner, that he saw her himself, and that in his opinion a more magnificent ship, or one better equipped, had never left the port of Liverpool. His correspondent had also informed him that her master had an extra first-class certificate, while the first mate had a master's, and the second mate an extra first mate's certificate. He did not wish to detain the Committee further, and should merely observe that he highly approved of the proposition of the right hon. 238 Gentleman opposite for suspending the system of registry tickets. That system might at the period of its introduction have had the effect of elevating the character of our seamen, but it had undoubtedly been instrumental in driving large numbers of efficient sailors into foreign service. He wished, however, to take that opportunity of calling the attention of Her Majesty's Government to the subject of apprentices. He was aware that the clause making it incumbent on shipowners to take apprentices had been repealed at the desire of the shipowners themselves. He believed, however, that it had not been a wise step, and that it ought to be re-enacted. He was sure those whom he had the honour to represent, would gladly co-operate with the right hon. Gentleman the President of the Board of Trade, in the endeavour to make this Bill as efficient as possible.

Commons February 9, 1854

CLAIMS AGAINST THE PORTUGUESE GOVERNMENT.

MR. HORSFALL

, in seconding the Motion, said, that he did so, not merely out of consideration to the firm of Yuille,

Shortridge, and Co., but as involving a question of general commercial interest. The facts of the case, as disclosed by the hon. and learned Member, appeared to him to make out a charge which embodied a great breach of treaties on the part of Portugal with Great Britain, and which would establish, if allowed to pass over unnoticed, precedents of a most ruinous nature to the great prejudice of this country. He would not follow the hon. and learned Member through all the facts which he had stated, but would merely say, that it appeared to him that no country in the world had received more benefits from England than Portugal had, and yet no country had been guilty of more ingratitude in every way toward us. Portugal had received from this country, in principal and interest, since the treaties of 1815, no less a sum than 2,850,000*l.*, in order to induce her to suppress the slave trade, and the means she had adopted to carry out such suppression were patent to the world. The commander of the *Castor* frigate, recently employed in the Mozambique channel, stated that the Portuguese authorities on that coast were themselves concerned in it. With respect to a country like Portugal, Government had not only the right of seeing but was bound to see that the promises which she deliberately made she also faithfully fulfilled. He was no advocate for Her Majesty's Government interfering unnecessarily to collect private debts incurred in the ordinary course of business transactions; but in the case before the House there was evidently a flagrant breach of treaty, and in such a case he thought that forbearance might be carried too far. He hoped that the Government would countenance such measures being taken as would remedy at once the injustice complained of, and remove for ever any chance of similar proceedings on the part of Portugal or any other country. If Government acted energetically and as they ought in these matters, they would at one and the same time insure the extension of our commerce, and afford that protection to British subjects abroad, which in transactions of this nature were not only requisite and desirable, but absolutely indispensable.

Commons March 17, 1854

RIGHTS OF NEUTRALS.

MR. HORSFALL

said, that in seconding the Motion of his right hon. Friend the Member, for Manchester, he must thank him for the clear and explicit manner in which he had brought the question before the House. He entirely concurred in the sentiments which had fallen from his right hon. Friend, and he could not conceive how Her Majesty's Government, or any hon. Member in that House, could object to them. He, was the more anxious to express his concurrence in them because he had heard it stated that the interests of the shippers of goods were at variance with the interests, of the British shipowners, and more particularly in that branch of the question brought under the consideration of the House by his right hon. Friend. For himself, he must say he could conceive no such thing. He could imagine that, as a literal matter of fact, whatever tended to give facilities for the conveyance of goods in neutral vessels, might be detrimental, to some extent, to, British shipowners; but he considered that a very narrow-minded view of the question, and one which he was sure would not for one moment be entertained by the great body of the shipowners this country. Upon every ground of equity, British goods and produce should have the same protection as British shipping. He regretted that his right hon. Friend had not gone into another and a very important branch of the question. It might be in the recollection of the House that he (Mr. Horsfall) had put a question to the noble Lord the Member for London, about a fortnight ago, as to how far the treaties of this country with foreign nations, or the measures which Her Majesty's Government were prepared to 967 adopt, were such

as would give protection to British commerce? To that question the noble Lord replied that it was a very delicate and intricate subject; that it was necessary to communicate with other nations upon it; but that the matter was under the consideration of Her Majesty's Government. He (Mr. Horsfall) had not put the question in any factious spirit, and he expressed himself satisfied with the answer of the noble Lord. Not so, however, with other hon. Members upon both sides of the House, and it was somewhat quaintly said upon the occasion, by a Gentleman from the opposite side, who had had some official experience that "everything was under the consideration of Her Majesty's Government." He was willing, notwithstanding, to believe that the noble Lord was sincere, and all he desired was a clear and explicit statement of the views of Her Majesty's Government, not only upon the question submitted to the House by his right hon. Friend, but also upon the larger and more important question of privateering. The noble Lord said most truly that the question was one of a delicate and intricate nature, and he (Mr. Horsfall) was quite prepared to admit that it was; but at the same time it was one in the right and speedy solution of which the whole population of the country was deeply interested. Increased expenses were already placed upon the shipping, and it was too well known that whatever increased the cost of import increased the cost to the consumer. He maintained, therefore, that the question was not one of interest to the manufacturer and merchant alone, but was also deeply interesting to the whole population of the country. He hoped Her Majesty's Government would be prepared to state in the course of the evening, or else to give an assurance that they would state shortly, the course to be adopted for affording protection to the commerce of the country. He held in his hand a Report laid upon the table of the House containing a copy of a letter written by the noble Lord the Foreign Secretary, which he thought was a most valuable document, and gave some evidence, at least, that Her Majesty's Government were in earnest. He alluded to the letter of Lord Clarendon, addressed to our diplomatic and consular agents abroad, informing them that Her Majesty's Government had entered into treaties with France for the purpose of affording mutual protection to the ships and 968 subjects of both countries. That valuable and important document, which he readily accepted as the prelude to further treaties for the protection of commerce, said in the first line—and it seemed to convey some censure upon Government—The time has now arrived when it is incumbent upon the two Governments to prepare for all the contingencies of war. The complaint now made was, that we were not prepared for all the contingencies of war. If the prospect of war had been one of recent origin, if we had been at peace yesterday and at war to-day, it might have been different, but when the prospect of war had been advancing with a slow but a sure and steady step for the last six months, he thought the House might reasonably express some disappointment that long ere this Government had not taken some clear and decided steps, or, if they had taken them, that they had not informed the country what those steps were, and what they intended to do. He had presented that evening a petition from the Liverpool Chamber of Commerce in some degree bearing upon this subject, which prayed that the House would enact a law to prevent any British vessel from being fitted out as a privateer, and also that Government would be induced to enter into a treaty with the United States and France with a view of putting a stop to privateering on the principle laid down by the United States in their war with Mexico in 1846. He hoped enough had now been said upon the point to which the attention of the House had been called by his right hon. Friend, and also upon an equally important branch of the subject—privateering and letters of marque. Whatever course other nations might adopt, he trusted this country would set a noble example, worthy a great and Christian country, and determine to fit out no vessel as a privateer.

Amendment proposed— To leave out from the word 'That' to the end of the Question, in order to add the words an humble Address be presented to Her Majesty, that She will be graciously pleased to give special instructions to the Officers commanding Her Majesty's cruisers, in the event of war, to abstain from interfering with Neutral vessels on account of any goods or property, not contraband of

war, that may be contained therein; and praying Her Majesty to direct Her Ministers to consider the policy of entering into treaty stipulations with the United States of America, and any other Foreign Country willing to entertain the same, on the principle that free ships shall make free goods, and the Neutral flag give neutrality to the cargo,'—instead thereof.

Question proposed, "That the words 969 proposed to be left out stand part of the Question."

Commons May 17, 1854

REGISTRATION OF BILLS OF SALE BILL.

MR. HORSFALL

said, he was glad to find that the bearing of the Bill on ordinary mercantile transactions was likely to obtain due consideration, and be confidently relied on the exertions of the hon. Member for Cirencester and the hon. and learned Solicitor General, to render the measure an unalloyed advantage to the commercial community.

Commons May 18, 1854

MERCHANT SHIPPING BILL.

Order for Second Reading read.

MR. HORSFALL

said, he had no wish whatever to oppose the second reading of the Bill, because he regarded it as a praiseworthy effort, on the part of the Government, to consolidate the mercantile marine laws of the country. He was also quite aware of the time and attention which had been bestowed on this Bill by his right hon. Friend (Mr. Cardwell), who had received with great courtesy every suggestion that had been made to him; still he could not avoid mentioning that there were some defects and some deficiencies in the measure, although he would not then enter into details which would more properly be noticed in Committee. He would observe, however, that he thought his right hon. Friend had made one or two mistakes in interfering with the enactment of the Mercantile Marine Bill of 1850. The first of these was very important—namely, his transference of the powers of the various local marine boards to the magistrates. Now, he had the honour of being a member of the Liverpool Marine Board for the last three years, having been nominated by the hon. Member for Taunton when President of the Board of Trade, and he could, therefore, bear testimony to the efficiency with which the affairs of that Board had been conducted. Indeed, he considered that no board could be more complete or perfect than that constituted under the Act of 1850. Yet it was proposed in this Bill to transfer their power to magistrates—none of whom might know anything about ships—perhaps not able to tell a bowsprit from a mainmast. Nor had he heard that there was any just or substantial reason for the change, except that some members of the Board complained that a considerable portion of their time was occupied. That, however, he did not at all hold to be a valid reason, because if gentlemen had not time to devote to their duty at the Board, they might retire, and others could be found to take their places. The alteration proposed he held to be very

objectionable; but as he intended to move an Amendment to that clause when the Bill was in Committee, he would not then further allude to the subject. But there was also a very great deficiency in the Bill which he wished to point out—namely, that it did not re-enact the apprenticeship system, which he looked upon as of considerable importance. The House would remember that a short time ago he had moved for a return showing the number of apprentices in the merchant service in 1850, when the requirement was abolished, as well as the number during the three years after its abrogation. From that return he found that on the 1st of January, 1850, there were in the mercantile service 31,636 apprentices, while on the 1st of January, 1854, there were only 13,826. Now, he must say, if the mercantile marine was to serve in future as the nursery for the Navy of England, that it was the duty of his right hon. Friend to re-enact the requirement clause—which, however, he (Mr. Horsfall) readily admitted was originally abolished at the request of the shipowners themselves. The Board of Admiralty had been in communication with the local Marine Board of Liverpool, which Board had communicated with the Shipowners' Association of that port, and it was found that the language of that body was, that "That they were then under restrictions; but that if they were allowed to man their vessels as they liked by the 573 seamen of other countries, they would be prepared to consider the question of the re-enactment of the apprenticeship system." Well, concessions had now been made in that matter, and that body therefore now came forward with perfect consistency to petition Parliament in favour of re-enacting the clause requiring apprentices to be taken in all merchant vessels. He was aware, however, that his right hon. Friend had received a counter-memorial from a minority of the shipowners of Liverpool—gentlemen to whose respectability he was well pleased to testify. At the same time, it was his intention to move the re-enactment of the requirement clause in the terms of which he had given notice. But there was another far more important omission in the Bill; he alluded to the fact that no notice was taken in it of a question the most interesting to shipowners throughout the country. He referred to the operation of the Act, the 9 & 10 Vict. c. 93, commonly called Lord Campbell's Act. Now that Act either did, or did not, apply to shipping; if it did, and it had been held by the courts of law to do so, he maintained it was the duty of the Government to have introduced a clause to that effect into the Bill. That Act was originally intended to apply to railway accidents only, but in consequence of the decision of the law courts, shipowners were placed in a position perfectly inconsistent with every principle of justice. For in what position did they stand? He was not desirous to exempt the shipowner from any responsibility which should legitimately fall upon him, but it had been admitted by Lord Campbell himself that he had never intended that Act to apply to shipping. Under its operation the wealthiest shipowner might be ruined in a single hour. There was no limit to his responsibility, and he asked that the shipowner should be placed in the position in which he was previously to the passing of the Act. Under former Acts the liability of the shipowner had been confined to the value of the ship and freight; and in asking now that their liability should be confined to that, he thought that they were not asking too much. With the law, as it existed, no prudent man could own a ship. He certainly would not undertake for any premium that might be offered to carry a cargo of passengers under the present law and the liabilities which it imposed; and he trusted that in Committee the right hon. Gentleman would insert some clause which should confine the liability of shipowners to the value of the ship and freight. If that were not done, he was satisfied that the Bill would frustrate one great object which the Government had in view the giving protection to emigrants going abroad; for it would prevent all prudent men from owning vessels, and none but speculators and adventurers would engage in the trade. If the right hon. Gentleman did not do so, he should himself propose a clause to that effect in Committee.

Commons May 26, 1854

OXFORD UNIVERSITY BILL.

MR. HORSFALL

said, the Motion of the hon. Member for North Lancashire was such a common-sense proposition that he felt bound to support it. He, attached but little importance to the argument, that if the discussion in the English tongue were allowed Convocation would degenerate into a debating society.

Commons June 2, 1854

CUSTOMS DUTIES (SUGAR) BILL.

MR. HORSFALL

did not speak on the question the other evening, because he was desirous to ascertain the feeling of those interested before he expressed an opinion upon it, He had since had an 1237 opportunity of seeing some of the leading refiners and dealers in the matter, and he was happy to say that they had expressed themselves perfectly satisfied with the proposition of the Government. He should therefore oppose the Amendment.

Commons June 12, 1854

SUPPLY—MISCELLANEOUS ESTIMATES.

MR. HORSFALL

said, he was as anxious to treat the Roman Catholic Members of that House with as much respect as the noble Lord (Viscount Palmerston) himself; but lie trusted they would not be too sensitive, and that they would not take offence at the bare statement of facts by any hon. Member. The noble Lord said he was as good a Protestant as the hon. Member for North Warwickshire (Mr. Spooner); but there was this remarkable difference between the Protestantism of the noble Lord and that of his hon. Friend the Member for North Warwickshire, that whilst the noble Lord advocated what he himself believed to be error, the hon. Member at least advocated what he believed to be truth. Looking at the Vote they were called on to make, and to the consequences of it, he must say he could not be a party to doing in his public capacity what he would not do in his private capacity. They were told that the same rule ought to be applied to all sects; that would be undoubtedly true, as soon as they ceased to acknowledge a National Church; but so long as they upheld a National Church inculcating Protestant principles, let them not adopt the strange and startling inconsistency of paying those whose views were antagonistic to it; and who were bound, if they could, to overthrow that Church. That at least was an inconsistency to which he would not be a party, and, therefore, he should feel it his duty to vote against this grant. The sum, indeed, was a small one—only 550l.—and, therefore, he ran the risk, perhaps, of being charged with niggardliness. That, however, was not so, for if it were a Vote of 500,000l. for any other purpose than that of inculcating what he believed to

be a religious error, he would cheerfully assent to carry it; but in its present shape he could not support it, as it involved a principle in violation of the Constitution of the country. He remembered when Sir Robert Peel proposed the additional grant to Maynooth, hon. Gentlemen who intended to vote against it were told that there was no principle in their doing so, as they had already voted for the smaller sum, and it was, therefore, evident that they only regarded the question in a financial point of view. Well, on the present occasion, he, at all events, was anxious to view the question before the Committee as one of principle, and not of finance; and he could not conceive how any hon. Gentleman who supported the Vote of to-night could hesitate, if Her Majesty's Ministers were to propose to-morrow the endowment of the Roman Catholic priest-hood, to support that proposition also.

Commons June 13, 1854

BLOCKADE OF RUSSIAN PORTS—QUESTION.

MR. HORSFALL

said, he wished to ask whether it was intended to establish an effective blockade of the Russian ports in 46 the Baltic, the Black, and the White Seas, or whether there was to be a distinction in favour of foreign flags?

Commons June 20, 1854

WRECK AND SALVAGE BILL.

MR. HORSFALL

gave his entire approval to the Bill, and said, there was a great advantage in transferring the duties hitherto discharged by the receivers to the officers of the Board of Customs. The mercantile community had the greatest interest in supporting the Bill, inasmuch as it reduced the charges from one to five per cent.

Commons June 27, 1854

3 speeches —MERCHANT SHIPPING BILL.

MR. HORSFALL

said, he should support the clause, as rather a protection to seamen than otherwise. The clause directed that the reply was to be taken down in presence of the whole crew, and it should be remembered that the examination need not take place at a moment of excitement, but only at some period before the vessel got into port.

Clause agreed to, as were also the following clauses up to 283.

Clause 284 (Rules as to ships meeting each other).

MR. HORSFALL

said, that as there was no hope of prevailing on the right hon. Gentleman (Mr. Cardwell) to agree to it, and as the opinion of the shipping interest was very much divided on the subject, he should withdraw the apprenticeship clause of which he had given notice.

MR. HORSFALL

said, he must maintain that it could not be correct to say that the number of apprentices had increased, when they were 31,136 in 1850, and only 13,820 in 1854.

Commons June 27, 1854

LAW OF PARTNERSHIP.

MR. HORSFALL

had carefully abstained from expressing an opinion upon the question until he should have had an opportunity of considering it in connection with the Report of the Commission. He had not had that opportunity yet; it had been impossible to do it in the few days that had elapsed since the Report had been in the hands of Members, and if he were obliged to give a vote now it would not be upon the merits, but against the House pledging itself at this moment to an abstract Resolution. He hoped, therefore, the Motion would not be pressed.

Commons March 27, 1855

CHINA TRADE.

MR. HORSFALL

said, that in bringing forward the Motion of which he had given notice, he had no desire to ask for any papers the production of which would be detrimental to the public service; nor did he wish to say one word against the present Government or against the noble Lord at the head of the Foreign Department, to whose ability and attention he bore ready testimony. The question of our trade with China, however, was one of the greatest importance not only to the merchants of Liverpool and Manchester, as well as the metropolis, but to the whole consuming population of this country; and it was particularly so at a time when the necessities of the State had induced the Government to arrest the operations of the Act for the reduction of the duty upon tea. He must ask the House to go back with him to the year 1851, when certain disturbances occurred in China, and our Consul at Shanghai took upon himself to interfere in the collection of the Customs' revenue. At that time the merchants,

both in China and England, remonstrated with the noble Lord the then Foreign Minister, who immediately acted with his accustomed promptitude, and issued orders to the effect that the British Consul should no longer do that for the Emperor of China which the Emperor's own servants would not do for him, and, in fact, that consular interference in the collection of Customs should not be permitted to continue. Those instructions would be found in the following letter:— (Copy.) Foreign Office, June 18th, 1851. Sir—I am directed by Viscount Palmerston to acquaint you in reply to your letter of this day's date, that Sir George Bonham was instructed by the Mail of last month to state to the Chinese High Commissioner, that as the Chinese authorities will not do their duty in preventing the Emperor of China from being defrauded of his just dues, the British Government can no longer order her Majesty's Consuls to do that for the Emperor of China, which the Emperor's own servants do not deem it necessary to do for Him; and that consequently all interference on the part of the British Consular Authorities for the protection of the Chinese Revenue, will for the future be withheld. Sir George Bonham was further instructed to make such arrangements as might appear to him to be sufficient for carrying out the intentions of Her Majesty's Government in this respect.—I am, Sir, your most obedient humble servant, (Signed) "H. U. ADDINGTON. It was, consequently, natural to suppose that instructions so clear and precise would be effectual; but, in September, 1853, grievances again broke out, and Mr. Alcock again resorted to the plan of collecting revenue for the Chinese authorities; Sir George Bonham, our Superintendent at Hong Kong, disapproved of consular interference, and referred the matter to the Home Government. On the 3rd of February the Chinese collector of revenue returned to Shanghai, with a distinct understanding that all rations were to be placed on the same footing, and it was settled that the duty should be paid upon the express condition that everybody should be treated alike. But this was not acted upon by the Chinese authorities, for, while the British merchants were giving bonds as securities for the payment of duties, the merchants of other nations were not required to do so. The British merchants protested against this, and claimed to be put upon the same footing as others were. While the American Consul declared Shanghai to be a free port, the British Consul exacted a bond from the British merchants as a security for the amount of the duty. Sir George Bonham disapproved of this also, and the matter was again referred home. On the 13th of April, Sir John Bowring arrived in China. His first act was to establish Consular Courts to decide upon the very questions which he knew had been referred home by Sir George Bonham for the decision of the British Government. The British merchants immediately protested against this proceeding. Sir John Bowring did not attempt to conceal that he knew that this matter had been referred home, for, in his reply to the protest of the British merchants, he admitted it, at the same time stating that he conceived the responsibility of allowing the Consular Courts to be accessible to the Chinese authorities for the recovery of duties rested wholly upon himself. Here then arose a difference of opinion between Her Majesty's Government at home and Her Majesty's representative at Shanghai. The noble Lord at the head of the Foreign Department considered that the decision rested with the Home Government, and Sir John Bowring considered that it rested with him. The question at issue therefore was, whether the British Government would submit to Sir John Bowring's opinion, or whether he should be required to submit to the decision of Her Majesty's Government? On the 6th of June, 1854, Mr. Hammond wrote to the Liverpool Association, to the effect— Foreign Office, 6th June, 1854. To the Chairman of the Liverpool East India and China Association. Sir,—I am directed by the Earl of Clarendon to acknowledge the receipt of your Letter of 25th ultimo, and I am to state to you in reply, for the information of the Liverpool East India and China Association, that as Sir George Bonham is expected to arrive in England in the course of the present month, His Lordship thinks it desirable to postpone any decision, in regard to the question of the securities taken for Duties at Shanghai during the time that the Chinese Custom-house was in abeyance, until he shall have had an opportunity of personally communicating with Sir George Bonham. Her Majesty's Government will come to a decision on the subject as soon as Sir George Bonham returns to this country; and

Lord Clarendon conceives that the arrangement which will be finally arrived at by the adoption of this course, even though it may occasion some slight delay in forwarding instructions to Sir John Bowring, will probably be more satisfactory than one made without the benefit of previous consultation with Sir George Bonham,—I have the honour to be, Sir, your obedient servant, E. HAMMOND. And on the 4th of July, 1854, Mr. Hammond wrote to the Association of Merchants at Liverpool, as follows:— Foreign Office, July 4, 1854. Sir,—With reference to the correspondence which has passed between you and this office respecting the securities taken by Her Majesty's 1246 Consuls at Shanghae for duties which, in consequence of the state of affairs at that port, the Chinese authorities were themselves unable to collect, I am directed by the Earl of Clarendon to acquaint you that, after communication with Sir George Bonham and upon a full consideration of the question in all its bearings, Her Majesty's Government have decided that those securities shall be cancelled and returned to the parties by whom they were given, and instructions to that effect will be sent by the next mail to Her Majesty's Plenipotentiary and Chief Superintendent of British Trade in India,—I am, &c., E. HAMMOND. Now, presuming that instructions had been sent out in accordance with Lord Clarendon's promise which he had no right to doubt; what he wished to know on behalf of the British merchants in China, and of the merchants in this country interested in the China trade, was, why the bonds taken between the 9th of February and the 12th of July last had not been cancelled by Sir John Bowring in obedience to those instructions? He could conceive no answer to that question, except that Sir John Bowring was now exercising his own discretion in opposition to the discretion and instructions of Her Majesty's Government. All he desired was, that the British merchants should be placed on the same footing in this matter as the American merchants, so that the trade of this country with China might suffer no disadvantage. What the mercantile community required and what he thought it had a right to ask was, the cancelment of all bonds taken both before and after the 9th February; the non intervention of British officials in the collection of the Chinese revenue, and the strict fulfilment of the treaty, that British subjects should be placed upon the same commercial footing as the subjects of other countries.

Motion made, and Question proposed— That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies of all Instructions having reference to Trade, sent out by Her Majesty's Government to Her Majesty's Superintendent of Trade in China, subsequent to the 1st day of February 1854; also, of the Correspondence subsequent to that date, between Her Majesty's Government and Her Majesty's Superintendent of Trade, having reference to British Trade in China, up to the present time.

Commons April 23, 1855

SUPPLY OF GUANO—VENEZUELA— QUESTION.

MR. HORSFALL

said, he begged to ask the First Lord of the Treasury whether Her Majesty's Government was aware of the fact of the Venezuelan Government, or persons in the name of that Government, having taken possession of the Island of Ayes, which was surveyed by the British Government in 1849; and if so, whether it is intended to take any measures for the recovery of the island, and for the preservation to this country of the supply of guano which abounds there?

Commons May 1, 1855

MAYNOOTH COLLEGE.

MR. HORSFALL

said, he was always unwilling to trespass on the attention of the House, but he was especially so when he knew that the feelings of many hon. Members were strongly opposed to the view he took upon this subject. He begged to assure those hon. Members, that he desired to say nothing personal or offensive to them in the course of his observations. He would not follow his hon. Friend the Member for North Warwickshire through the evidence which he had so ably brought before the House, because, in his opinion, this was not a question as to what evidence had been given or withheld at Maynooth; the question was, whether the teaching of the Church of Rome, paid for by this country, was or was not beneficial to the people of Ireland, and it must be decided by a consideration of the moral results of that teaching. He wished, however, to call the attention of the Government to the specific charge made by his hon. Friend in bringing this Motion, that the evidence laid on the table was a fraud, and not the bonâ fide evidence which had been taken before the Commissioners. It was the duty of the Government to have that charge either proved or disproved, for he would not for a moment suppose that any Member of Her Majesty's Government would be a party to any transaction such as that described by his hon. Friend. The hon. Member for Birmingham (Mr. Scholefield) had accused a clergyman of the Church of England of want of charity, but he thought that the hon. Gentleman had better have grappled with the facts which Mr. Hobart Seymour 2089 had stated, than have dwelt upon some playful words which had occurred in his speech. The object of that speech was to show that Maynooth was unnecessary, and that, even were it necessary, it was kept up on a more extensive scale than was demanded by the requirements of Ireland. Mr. Hobart Seymour argued that it was unnecessary, because the Roman Catholic clergy might be educated with the Roman Catholic laity at Trinity College, Dublin; and he followed up that argument by proving that 296 priests were regularly educated at Maynooth beyond the number required for Ireland, and were therefore distributed through England, Scotland, and other parts of the world. It appeared from the evidence, that 2,260 priests were the estimated requirement of Ireland. And, according to the annual estimate of deaths, it had been calculated that there would be fifty-six annual deaths to supply. Thus making allowance for the representations which had been made, that it took four years to educate a priest, that would make the endowment necessary for 224 priests, and not for 520, for which the grant was now made. So that there were, as he had stated, 296 priests constantly being educated above the requirements of Ireland. He had the highest authority for the assertion that the teaching of the Church of Rome was not beneficial to the people of Ireland. He would first refer the House to the opinions expressed by Mr. Macaulay in his History of England, in speaking of the influence of the Church of Rome— From the time when the barbarians overran the Western Empire to the time of the revival of letters, the influence of the Church of Rome had been generally favourable to science, to civilisation, and to good government. But during the last three centuries to stunt the growth of the human mind has been her chief object. Throughout Christendom, whatever advance has been made in knowledge, in freedom, in wealth, and in the arts of life has been made in spite of her, and has everywhere been in inverse proportion to her power. The loveliest and most fertile provinces of Europe have, under her rule, been sunk in poverty, in political servitude, and in intellectual torpor, while Protestant countries, once proverbial for sterility and barbarism, have been turned by skill and industry into gardens, and can boast of a long list of heroes and statesmen, philosophers and poets. Whoever, knowing what Italy and Scotland naturally are, and what, 400 years ago, they actually were, shall now compare the country round Rome with the country round Edinburgh, will be able to form some judgment as to the tendency of Papal

domination. The descent of Spain, once the first among monarchies, to the lowest depths of degradation; the elevation of Holland, in spite of many natural disadvantages, to a position such as no commonwealth so small has ever reached, teach the same lesson, Whoever passes, in Germany, from a Roman Catholic to a Protestant principality; in Switzerland, from a Roman Catholic to a Protestant canton; in Ireland, from a Roman Catholic to a Protestant county; finds that he has passed from a lower to a higher grade of civilisation. On the other side of the Atlantic the same law prevails. The Protestants of the United States have left far behind them the Roman Catholics of Mexico, Peru, and Brazil. The Roman Catholics of Lower Canada remain inert, while the whole continent round them is in a ferment with Protestant activity and enterprise. The French have, doubtless, shown an energy and an intelligence which, even when misdirected, have justly entitled them to be called a great people. But this apparent exception, when examined, will be found to confirm the rule; for in no country that is called Roman Catholic, has the Roman Catholic Church, during several generations, possessed so little authority as in France. He would next read a short extract upon the same subject from a work which had been recently published by Lord Carlisle, the present Lord Lieutenant of Ireland— The scenery along the Elbe continues to be pretty, but the transition from Saxony to Bohemia, with regard to the aspect of the people, of their dwellings, and of their agriculture, rather resembles the change from English to Irish landscape; not that Saxony is so well dressed as England, or Bohemia so ill dressed as Ireland. How are we to distribute the causes of this difference? What to Government? What to creed? I think I may take credit to myself for wishing to look at all things with an unbigoted eye, but then it seems to me that as soon as you come to the crucifix on the high knolls and in the little grove, often most picturesque in effect, the appearance of comfort and wellbeing among the people is on the wane. But he would not rest his argument upon opinions only. What were the facts proved by parliamentary returns and official documents with regard to the state of crime in other countries as compared with England? He would contrast the number of committals for murder in Roman Catholic countries with that in Protestant England. It appeared from official documents that the average annual number of committals for murder in Roman Catholic Ireland had been for some years nineteen to the million; in Belgium, eighteen; in France, thirty-one; in Austria, thirty-six; in Bavaria, sixty-eight; in Sardinia, twenty; in Lombardy, forty-five; in Tuscany, fifty-six; in the Papal States, 113; in Roman Catholic Sicily, ninety; in Naples, 174; and in Protestant England, four to the million. Here was evidence of the different result attending the teaching of Protestant England and of those countries which were subject to the Church of Rome; and it was upon this that he grounded his argument that they were not justified in voting money year after year which, as Protestants and men of sense, they must see was not expended in a way beneficial to the people. It had been held that we were bound by some compact which was entered into at the time of the Union. Now, he would yield to none in his desire to fulfil any compact, contract, or agreement. But he would deny that there was any compact entered into at the time of the Union by which we were bound to maintain any such grant, and he called upon those who declared that any such agreement or contract was entered into to produce it. In the Act of Union was the following clause— That a sum not less than the sum which has been granted by the Parliament of Ireland, on the average of six years immediately preceding the 1st of January, in the year 1800, in premiums for the internal encouragement of manufactures, or for the maintaining of institutions for pious and charitable purposes, shall be applied, for the period of twenty years after the Union, to such local purposes in Ireland, in such manner as the Parliament of the United Kingdom shall direct. For twenty years after the 1st January, 1800; and he need not tell the House that the compact which had thus existed had expired more than thirty years ago. This was the only semblance of a compact under which the present grant had been made; and he denied that this country could in any way be considered as bound for the future to make such a grant. Having already referred to the opinion of two eminent and liberal statesmen, he ventured now to quote the opinion of his right hon. Friend the member for the University of Oxford (Mr. Gladstone), not, he could assure him, for the purpose of taunting him

with a change of opinion, for he did not believe that as a question of principle the right hon. Gentleman had changed his opinion at all, even if, unfortunately, he had lent his great talents and the weight of his moral worth to aid the cause of legislation upon expediency instead of upon principle. In that valuable work of his, *The Church in its Relations to the State*, the right hon. Gentleman made a remark which he never had and never could answer, and with which he (Mr. Horsfall) would now conclude his observations—namely, that "the grant to Maynooth is wholly vicious in principle, and will be a thorn in the side of the people of this country as long as it is continued."

Commons June 26, 1855

BIRKENHEAD AND LIVERPOOL DOCKS BILL.

MR. HORSFALL

said, he very much regretted that the right hon. Member for Manchester (Mr. M. Gibson) had thought it necessary to move this Amendment. The right hon. Gentleman forgot that the Bill was before the Committee three months, and it was after full consideration that they adopted the clause. The clause was of that importance, that the promoters were advised that if the Amendment were carried it would be fatal to the Bill. [Mr. M. GIBSON: Why?] Because they felt that if it were carried, they must withdraw the Bill. [Mr. M. GIBSON: Why?] Because it would prejudice the rights of the corporation of Liverpool. The object of the Committee was to insert a clause which should not prejudice the rights of the corporation, and he therefore asked the House to support the clause which the Committee had framed for that Object.

Commons June 29, 1855

PARTNERSHIP AMENDMENT BILL.

MR. HORSFALL

said, he was one of those who had taken exception to the abstract Resolution adopted by the House on 355 the subject last Session, and he had done so mainly because the evidence taken before the Commissioners and their Report, by which the House was expected to be guided, at least to some extent, had been only a few days in the hands of hon. Members. The Bills had been described as a concession to popular feeling, but he believed that a majority of the commercial community of the country were opposed to their principle. For his own part, he approved, to a great extent, the Bills, but he thought if the right hon. Gentleman the Vice President of the Board of Trade would take into consideration the views which had been propounded by the right hon. Member for Oxford (Mr. Cardwell) he would meet the wishes of all parties by adopting in the present Session the Bill relating to limited liability, and allowing the other Bill to stand over until the next Session. He must say, in justice to the important commercial community he had the honour to represent, that the general question of limited liability had been fully, fairly, and openly discussed at a meeting of the Liverpool Chamber of Commerce, which, after a protracted discussion of several days, came to a decision adverse to the principle of the Bill by a majority of about 200 to 100. The strongest protest against the principle of the Bill that he had seen was contained in a petition which had been presented to

the House from the Manchester Chamber of Commerce. The Bills, therefore, were not to be regarded as concessions to any clamour on the part of the commercial interests of the country.

Commons July 13, 1855

STAGE CARRIAGE DUTIES, &c. BILL.

MR. HORSFALL

said, he must complain of the levity with which the subject had been treated by the right hon. Baronet, who had said that the clause relating to Building Societies had been deliberately considered. Those societies, he told the House, had purchased property to the amount of 50,000l. or 60,000l. That was not correct. It was the Freehold Land Societies that had made those purchases; they were quite distinct from Building Societies, being formed for political objects; and the House would be surprised to learn that, under the clause, those societies were exempted from the tax to be imposed upon Building Societies, than which nothing could be more unjust.

Commons July 16, 1855

2 speeches —STAGE CARRIAGE DUTIES, &c., BILL.

MR. HORSFALL

said, he had hoped his right hon. Friend the Chancellor of the Exchequer would have withdrawn the 6th clause, but if he did not adopt that course he thought the Committee ought to proceed with the Bill.

MR. HORSFALL,

in moving the omission of the clause, said, that he had received communications from the members of numerous Benefit Building Societies throughout the country, complaining of the manner in which the clause would affect such societies. These persons represented that, in their opinion, the clause had been introduced under some erroneous view of the nature of those, exemptions from stamp duties which were enjoyed by the members of Benefit Building Societies, and also of the character and operation of such institutions. Upon every transaction of an extraneous character the stamp duty was at present paid by the society, and on that ground he appealed to the Committee to support the rejection of the clause.

Commons July 30, 1855

SALE OF BEER BILL

MR. HORSFALL

said, he was aware that the Bill was brought in on the recommendation of the Committee, and he only rose to express his regret that the Committee should have come to the decision which they had on such ex parte evidence. The whole case had been heard on the part of the publicans, and nothing had been heard on the part of the public. He believed a large mass of evidence was offered and was rejected, and under those circumstances he could only express his regret that the Committee should have made the recommendation which they had, He did not, however, intend to move the rejection of the Bill.

Commons February 4, 1856

LOCAL DUES ON SHIPPING, &c.

MR. HORSFALL

said, he would reserve any observations that he might wish to make on the general question raised by the measure of the right hon. Gentleman the Vice President of the Board of Trade, until the Bill was in the hands of the House, and had been considered by these interested in it; but felt that one remark which the right hon. Gentleman had made, when alluding to the amount of the dues levied at Liverpool, Hull, Newcastle, and other places, required some notice. The right hon. Gentleman stated that the sanitary condition and the municipal regulations of these towns were notoriously bad. Now, he (Mr. Horsfall) must entirely contradict that statement; for there was no town in the kingdom, the sanitary condition and municipal government of which were superior to these of Liverpool. What, 175 however, had the sanitary condition of Liverpool to do with a question of passing tolls on shipping? The expenses connected with the sanitary regulations of Liverpool were defrayed by a separate rate levied upon the inhabitants. The Government had sent out one of the officers of the Liverpool Sanitary Board to correct the deficiencies of their hospitals in the Crimea; and if the sanitary condition of that town was so unsatisfactory, as had been represented, he could not but express his surprise that the Government should have selected an agent from a place where the sanitary arrangements were represented to be so defective. The right hon. Gentleman had stated that the dues to which his Bill referred were most oppressive, and had concluded his speech by pretending to show that these dues had operated most injuriously upon the prosperity of Liverpool. But the fact was, that notwithstanding the alleged oppressiveness of these dues, no town in the kingdom had, of late years, been more prosperous than that very town which he had the honour to represent, and which the right hon. Gentleman had cited as an example of their injurious effects. If that were so, what became of the allegation that the dues were oppressive? He would not now endeavour to answer the question asked by the right hon. Gentleman—upon what authority these dues were levied? The various corporations who claimed such dues levied them under a title which, in his opinion, could not be disputed; and he thought that, before proceeding to legislate on this subject, the preliminary question, whether these corporations had or had not a legal right to such dues, ought to be decided by a court of law. If it should be proved that they had a legal title to these dues, it would be inconsistent with the national character for justice to deprive them of such a right without affording them ample compensation; but if, on the other hand, the courts of law

decided that no legal title existed, it would be very easy for the House to deal with the subject. He hoped that, previously to the second reading of the Bill, full time would be afforded for the consideration of its provisions by those whose interests it would so materially affect.

Commons February 6, 1856

LOCAL DUES ON SHIPPING, &c., BILL .

MR. HORSFALL

said, he was of opinion that the adoption of such a course would meet the views of many hon. Members.

Commons February 25, 1856

LOCAL DUES ON SHIPPING BILL.

MR. HORSFALL

said, he thought it was necessary for him, as one of the representatives of Liverpool, to make a few observations which might be considered as supplementary to those of the hon. and learned Gentleman the Member for Stamford, in reply to the right hon. Vice President of the Board of Trade. When the right hon. Gentleman first introduced the Bill, he expressed a regret that he was not more familiar with the subject upon which he was about to treat, and that he had not had more time to consider it; and in that expression of regret he (Mr. Horsfall) entirely concurred. In the speech which he made upon that occasion the right hon. Gentleman stated— The port of London was excluded from the Bill because the affairs of the corporation of London had come under another Commission, which had since made a Report, and the recommendations in which, arrived at after independent inquiry and consideration, were in accordance with those of the Commission on local dues and shipping. If the recommendations of the Commissioners of the Port of London had not been in accordance with the Report of other Commissioners, then he (Mr. Horsfall) could have understood how it was the port of London was exempted from the Bill, but as the recommendations of the city Commission were similar to those of the other commission, some other reason for the omission must be looked for, and he thought that reason was to be found in the expectation of the right hon. Gentleman that he would have opposition enough to encounter without inviting the additional resistance of the City of London. The right hon. Gentleman must, however, by this time have found out his mistake, for he had seen that very evening a petition presented from the corporation of London against the Bill. The right hon. Gentleman had found fault with the right Baronet (Sir P. Baring) who seconded the Amendment because he had told the House that these dues were not dues on shipping only, but were dues charged partly on shipping and partly on goods. The right hon. Baronet had spoken correctly, and he (Mr. Horsfall) would show the House in what proportions the dues fell respectively on shipping and on goods. Taking the case of Liverpool, the House would be surprised to find that out of £105,000 annually raised by these dues, according to the statement of the right hon. Gentleman, only £1,000 was levied upon shipping. The remaining £104,000 was levied upon goods which the consumer paid. The whole amount levied at Liverpool upon any single ship coming coastwise was 1s. not per ton but per vessel. Could that small sum be considered a

grievance. A British ship from a foreign port paid 1s. 3d., and a foreign ship was charged 1s. 6d., of which 3d. was paid from the Consolidated Fund. If such payments were hardships upon shipping he certainly could not perceive them. He would also show presently that the Bill, instead of relieving the shipping interest even from a payment of £1,000 per annum would, so far as Liverpool was concerned, inflict upon it an additional tax of £6,000 or £7,000 a year. The right hon. Gentleman, in his somewhat equivocal observations, had stated that the amounts which he quoted as the produce of these dues were those for the year 1852, and that since then they had greatly augmented. But that augmentation was the result of increased trade, not of enhanced rates. He would next approach the main point as regarded Liverpool, but before doing so he would request the attention of the right hon. Member for Manchester (Mr. M. Gibson) to what he was about to state, because all must be aware that the movement which led to the introduction of the present Bill had arisen at Manchester. If, therefore, he should succeed in showing that the same principle of town dues which prevailed at Liverpool also existed at Manchester, he thought the House would agree that there was a little want of consistency in the course now proposed to be adopted. Very hard words had been used on this subject at Manchester, but he would not now allude to them, as those who had used them would, he had no doubt, after the heat of controversy had passed away, regret having done so. But a curious work entitled the Manchester Historical Recorder, afforded some authentic information, which he would briefly quote, to show that the corporation of that city, in 1845, adopted the very same principle which the corporation of Liverpool adopted in 1777. The latter body, seeing the increase of the dues which were paid to the Earl of Sefton, very naturally decided on purchasing them for the benefit of the town; 1356 and the corporation of Manchester very properly took the same course in 1845 with regard to the dues levied in their city by the Lord of the Manor, Sir Oswald Moseley. The book to which he referred stated that the town council of Manchester bought up Sir Oswald Moseley's manorial rights for the sum of £200,000, of which £5,000 was to be paid down as a deposit, the rest of the money to be liquidated by instalments of £4,000 a year, with an option to increase them to £6,000; that the income derived from the tolls by the Lord of the Manor was about £9,000; that several previous negotiations for the purchase of his rights had taken place, but they had invariably failed, "either through the cupidity of the inhabitants, or from some disagreement as to terms between the buyer and the seller." The corporation of Manchester now levied these tolls, and applied the surplus to the reduction of their borough rate, thus acting in precisely the same manner as the Liverpool corporation did with their town dues. The published accounts of the Manchester corporation showed their receipts from these market tolls to be £10,372, independent of about £6,000 more from rent of slaughterhouses, and making a total of about £16,000, the surplus of which was carried to the benefit of the inhabitants. Thus, then, it was seen that the men of Manchester, who stoutly denounced this principle in the case of Liverpool, unhesitatingly acted upon it in their own city, levying tolls there upon articles of consumption, notwithstanding that they were such well-known advocates of free trade, especially in food. But that was not all. In another instance, when the directors of the Manchester, Sheffield, and Lincolnshire Railway, the carriers of a large amount of produce into Manchester, sought some time ago to establish a depot there, the able town clerk of that city was down upon the company in a moment, and prevented the formation of the proposed depôt, because it would have interfered with the tolls of the corporation. But turning to the question of the title of the corporation of Liverpool, from local knowledge, he might add a few facts to the able statement of the hon. and learned Gentleman (Sir F. Thesiger). The right of the corporation to its dues was contested before the then Lord Chief Baron (Lord Denman), in the suit entered against them by "Bolton and others." It was an entire misstatement to say that that case was compromised; the decision was clearly given in favour of the corporation. And here he wished to quote the words of two of the very parties who then contested the right of the corporation, and who nevertheless stood forward at a great public meeting held in St. George's Hall, Liverpool, on Friday last, as stanch opponents of this Bill. They were both ardent

supporters of the Government, or, at least, they very recently were such. Mr. James Aiken, on the occasion in question, said— The trial took place before the Lord Chief Baron; the most eminent counsel of that day were employed; the case went to a jury; a verdict passed for the corporation; and although, in the first instance, a bill of exceptions was tendered to the ruling of the Judge, the parties resisting the dues found, upon consulting counsel, that they had not a leg to stand upon, and they therefore said to the corporation, 'We see you have a title, but we think there are some few particulars in which the rates ought to be modified.' They were requested to point out the modifications which they would suggest. They did point them out, and those modifications were made to the entire satisfaction of the trading community of the town of Liverpool. Mr. W. Rathbone, the other speaker at the meeting, whom he desired to quote, observed that— He was rather surprised at the modesty—not usual with members of his profession—and still more with the morality of the Vice President of the Board of Trade. He should have thought that no lawyer would have said that property belonging to corporations might be spoliated any more than the property of individuals. That was not his morality; and he should be glad to know how the shareholders in those great corporations, the London and North-Western, the Great Western, and the Great Northern railway companies, would like to have their property in these concerns taken hold of by the Government; or what their friends in Manchester would say if a hungry Government should seize upon their corporate interest in their gas-works? He was called a Radical Reformer, but he was not an unprincipled revolutionist. Let them look at all their Boards in London—at the blunders made at the Admiralty and at the Horse Guards, and then let their answer to the proposal be 'Balaklava!' He thought Mr. Lowe might have had more modesty than to undertake their business, when that which he had in hand already was so ill conducted. Why had the local Marine Board resigned? Entirely because they were so bothered by Government interference. He (Mr. Rathbone) did not like centralisation. He should not object to inspectors coming down from time to time to see that the local authorities did their duty, but to anything beyond that he objected. He was quite sure, if the people of England understood the question, that Government would lose the Bill, and he hoped, if they persevered with it, they would lose their places too.¹³⁵⁸ The right hon. Gentleman (Mr. Lowe) spoke somewhat boastfully of having "overthrown the arguments of the hon. and learned Gentleman the Member for Stamford;" but had he really achieved such a triumph? The right hon. Gentleman in introducing his Bill stated— By the operation of the Municipal Corporations Act, in consequence, as I apprehend, of an oversight on the part of those who prepared it, the tolls levied upon shipping became part of the borough fund, and were saddled with a trust for the benefit, not of the shipping, but of the inhabitants of the town. He (Mr. Lowe) had been told by the hon. and learned Gentleman the Member for Stamford, that this was not an "oversight." Instead, however, of retracting his assertion about this alleged "oversight," the right hon. Gentleman had that night persisted in it. What was this but to insult the memory of Sir Robert Peel and the other eminent statesmen who took part in the discussion of the great question of municipal reform? How could the right hon. Gentleman maintain that there had been any "oversight" in the matter when Sir Robert Peel manifestly foresaw this case, as was evident from the following passage in his speech on the Municipal Corporation Act— It had been said, too, that this would bear unequally on different towns. In Manchester, for instance, where there were no corporate funds, there would have to be a borough rate; therefore, the inhabitants of Manchester would have a heavier burden imposed upon them than the inhabitants of Liverpool, where there were corporate funds. But it was impossible to go upon such a proposition as that. In one town the poor rates were much heavier than they were in others—in one they were 5s. in the pound, while in others they were not 8d., yet no alteration could be adopted on account of such variation."—[3 Hansard, xxviii. 1058.] With reference to the expenditure of funds by the Corporation of Liverpool, the Vice President of the Board of Trade had said that, out of £105,000 a year levied by dues upon shipping by that corporation, they were obliged by law to apply to maritime purposes the munificent sum of £400 a year. "They are,

however," said the right hon. Gentleman, "better than the law obliges them to be, for in that year (1852) they applied to those purposes no less than £3,044, the remainder being expended for the benefit of the ratepayers of the borough." It was certainly remarkable that the right hon. Gentleman should not have been aware of the very large amount which was expended by the corporation of Liverpool for the benefit of British 1359 commerce. They had expended on the new Custom House, which was intended to benefit not merely the commerce of Liverpool, but that of the country generally, £110,000; they had granted a site worth £8,500 for a Sailors' Home; on the Northern Hospital, which was built expressly for the reception of accident cases occurring in the docks, they had expended £8,500; they had constructed a river craft dock at an expense of £94,000; the observatory cost £8,600; the removal of the powder magazines, which were considered dangerous to the commerce of the port, had involved an expenditure of £12,000; a landing stage was now being built which would cost £135,000; a testing machine for testing chain cables cost above £5,000; the Rock Lighthouse had been built at a cost of £30,000; upon the Wallasey embankment for the protection of the port, they had expended above £30,000; they had paid £28,000 for other works for the benefit of the port; and they had expended £1,040,000 upon opening and widening the streets, in order to afford accommodation for the increased traffic of the port. He hoped, then, the right hon. Gentleman would be satisfied that he had made a slight mistake. The right hon. Gentleman, by some strange misconception, had confused the income of the dock estate with the corporation funds, and had said that "besides the enormous tax I have mentioned, the docks of Liverpool levy on the shipping £273,284, the whole of which is by no means paid for services conferred;" and he (Mr. Lowe) then proceeded to illustrate his case against the corporation by stating that the steamer Sarah Sands, although unable to enter the docks, had to pay £64. Now, the corporation had nothing to do with that. The Sarah Sands came into Liverpool as any other vessel would do, and all that she paid to the corporation was 1s. 3d. If the right hon. Gentleman intended to assail the dock estate, which might, perhaps, be the next object of his attack, he (Mr. Horsfall) would be quite prepared to meet him. The right hon. Gentleman proposed likewise to abolish the rights and privileges of the freemen. Not content with reforming the corporation of Liverpool, he would reform the Municipal Reform Act itself; for, by that Act all the rights and privileges of freemen were reserved, not for succeeding generations, but for the lifetime of the freemen then living. During the last twenty-one years, 1360 however, the number of freemen had been gradually decreasing, and the exemptions had, of course, also decreased. The right hon. Gentleman, alluding to the effect of the town dues, had said, "In consequence of those dues, a great deal of trade is driven out of its natural course and finds its way to Chester, where the dues are light." He (Mr. Horsfall) would now show the House whether these dues had operated prejudicially to the trade and commerce of Liverpool or not. He found from Returns that in the year 1800 the number of vessels entering that port was 4,746, amounting to 450,060 tons; in the year 1810 the number of vessels was 6,729, amounting to 734,391 tons; in the year 1820 the number of vessels was 7,276, amounting to 805,033 tons; in the year 1830 the number of vessels was 11,214, amounting to 1,411,964 tons; in the year 1840 the number of vessels was 15,598, amounting to 2,445,708 tons; in the year 1850 the number of vessels was 20,457, amounting to 3,586,337 tons; and in the year 1855 the number of vessels was 20,024, amounting to 4,090,160 tons. The increase within the last five years had been 500,000 tons, and that was, he thought, an extraordinary proof of the depressing effects of these dues upon the commerce of Liverpool. Then with regard to Chester, the Returns showed that the trade of that port had been gradually decreasing instead of increasing as the Vice President of the Board of Trade would have led the House to believe. The right hon. Gentleman had observed, "It is curiously remarked, too, that these three towns" Liverpool, Newcastle, and Hull—"which have the advantage of receiving this enormous tribute levied from other men's property, are as little favourably spoken of for the efficiency of their municipal regulations or sanitary improvements as any in the kingdom." He (Mr. Horsfall) quoted now from the corrected speech of the right hon. Gentleman: on a former evening

he had noticed his somewhat strange observations on this point. He (Mr. Horsfall) would now only appeal from the Vice President of the Board of Trade to the right hon. Baronet the Home Secretary, who, in introducing his Police Bill the other day, singled out Liverpool as a pattern for its municipal regulations respecting the police. He (Mr. Horsfall) would further say that there was not a town in the kingdom which was in a more satisfactory sanitary state than Liverpool. Indeed, he believed he was correct in stating that the best local Bill of Health ever obtained from that House was a measure for the town of Liverpool. He could not imagine upon what grounds, therefore, the right hon. Gentleman thought himself justified in bringing such a charge against Liverpool, and he (Mr. Horsfall) could only say that he believed it was utterly unfounded. Before resuming his seat, he wished to say one word with regard to differential dues, and he would not have noticed the subject if the right hon. Gentleman had not—as he thought not very fairly—charged the hon. and learned Gentleman who moved the Amendment, and the right hon. Baronet who seconded it, with want of candour. He (Mr. Horsfall) would appeal to the House to decide to whom that charge would most justly apply. The right hon. Gentleman the Vice President of the Board of Trade, after referring to the reciprocity treaties concluded in 1810 and 1815 with Portugal and the United States, said, "A Bill was accordingly passed which, treating these dues in accordance with the political economy of the time"—which was honesty—"as the property of the corporations by which they were enjoyed, took away all power of levying them in every case where these reciprocity treaties came into operation, but at the same time enabled the Treasury to give compensation." It did not, however, answer the purpose of the right hon. Gentleman to tell the House that subsequent treaties were concluded in 1852, and he had not the candour to mention the fact. The right hon. Gentleman said—I grant that there is a legal right to these dues, because it has been given by Act of Parliament; but I cannot conceive upon what principle, *ex æquo et bono*, a corporation can be justified in raising, by taxing the shipping which comes into its harbour, sums applied for the benefit, not of shipping, but of the ratepayers of the town. I have shown how injurious such a practice is to the places where it obtains. The right hon. Gentleman, however, had not given them any instances of the injurious effects of the practice, the only cases he had mentioned being those of Chester and Liverpool, and he (Mr. Horsfall) thought the House would not be of opinion that they justified the right hon. Gentleman's assertion. The right hon. Gentleman had said that the funds raised by these dues were charged with debts, and the question arose what was to be done with such debts. He confessed that 1362 he (Mr. Horsfall) did not quite understand how the right hon. Gentleman proposed to apportion those debts under his "rule of three sum," as between the towns and the commercial interests. At all events, the town of Liverpool was not open to reproach on that point, for although the debt was £1,100,000, he had shown that upwards of £1,500,000 had been expended for the promotion of commerce. He would just call the attention of the House to the effect which the measure of the right hon. Gentleman would have on the port of Liverpool. The relief which the right hon. Gentleman proposed to give to the shipping of Liverpool would amount to £1,000; but he proposed to raise the rates on pilots to compensate for the amount which would be thus deducted; the consequence would be that the shipping interest would be charged £6,000 to £7,000 per annum more for pilotage than they were at present. The right hon. Gentleman further remarked, that in order to facilitate the readjustment of the charges in the harbours, it would be necessary to introduce another measure with an object similar to that of the Burgh Harbours (Scotland) Bill. The object of that Bill was the protection and storage of goods, and the making roads to harbours, and other works of a similar nature. Now, he could inform the House that the corporation of Liverpool had already anticipated the wishes of the right hon. Gentleman in all the objects he desired to accomplish—such as the protection of the storage, of the harbour, of the works, &c. For these purposes the corporation had expended £1,500,000 of money. Without trespassing any further upon the attention of the House, he thought he had shown that the statement of the right hon. Gentleman—especially in reference to Liverpool—was not founded on facts. He had presented petitions from the pilots, the mayor and

corporation, and inhabitants of the town of Liverpool, against the Bill, and notwithstanding it professed to be for the relief of shipping, he had also presented a petition against it, which was unanimously adopted at a meeting of the shipowners' association. The right hon. Gentleman had made some complimentary observations with reference to the Board of Trade. In those observations he (Mr. Horsfall) partly agreed. He readily acknowledged the services of the present Colonial Secretary (Mr. Labouchere) when President of the Board of Trade, particularly 1363 in having introduced the Mercantile Marine Bill, which was a very valuable measure, and by which local self-government was fully recognised. It gave to all important ports a local Board. But the present Board of Trade proposed to interfere with the operations of the Board at Liverpool. The right hon. Gentleman assumed, also, that the dock estates and the corporation estates were the same, whereas the corporation were only nominally the trustees of the dock estates, but had not the direct management of that property. The two bodies were, in fact, totally distinct. Whatever course the Government might take with regard to the Bill, he hoped the House would reject it, and thereby secure to themselves, what he believed they now possessed, the respect and confidence of the country.

Commons March 6, 1856

2 speeches — CUSTOMS' ESTABLISHMENT AT LIVER POOL—QUESTION.

MR. HORSFALL

asked the Secretary of the Treasury whether any Commissioner had been sent, or was intended to be sent, to inquire into the repeated complaints which had been made on the part of a large body of the officers of Her Majesty's Customs at Liverpool of inadequate remuneration for their services?

MR. HORSFALL

said, that, as it would be out of order for him to make any reply to the hon. Gentleman at that time, he gave notice that, on a future day, he would call the attention of the House to the subject.

Commons March 14, 1856

2 speeches — LOCAL CHARGES ON SHIPPING.

MR. HORSFALL

said, he could assure the House that the statements of the right hon. Member for Manchester (Mr. M. Gibson) would receive a full and satisfactory answer before the Committee. He was surprised to hear the right hon. Gentleman assert there was no difference between the proposal of the Government and that of the hon. and learned Member for Stamford (Sir F. Thesiger). As the Amendment stood the Committee would not be confined to the Report of the Commissioners, but would be entitled to take evidence and enter into the consideration of the whole subject.

MR. HORSFALL

I did not say that all the streets were widened, but only those leading to the docks. These had to be widened to facilitate the transit of goods.

Commons April 8, 1856

LOCAL CHARGES UPON SHIPPING.

MR. HORSFALL

said, he could not at all agree with the right hon. Member for Manchester (Mr. M. Gibson) that, because a general feeling of dissatisfaction was 686 expressed against the constitution of a Committee, therefore it was likely to prove an efficient and impartial one. He certainly should have rejoiced if the noble Lord at the head of the Government had answered the appeal made to him by consenting to reconsider the constitution of the Committee. He (Mr. Horsfall) represented a large constituency, that was more deeply interested in the question than any other constituency in the kingdom. On that account he was most anxious that the Committee should be fairly constituted, and although the noble Lord had told them that there would be nothing of a judicial character attaching to the Committee, nevertheless it must make a Report to the House, with a view of enabling it to form a judgment, and in that sense the Committee must be considered a judicial one. He was very unwilling to submit an Amendment upon the Motion before them, but unless the noble Lord would consent to postpone the nomination of the Committee for a week, with a view to its reconstruction, he should move the adjournment of the debate until that day week.

Commons April 11, 1856

SUNDAY LABOUR IN DOCKYARDS— QUESTION.

MR. HORSFALL

said, he would also beg to ask the First Lord of the Admiralty what were the circumstances which led to the employment of a large number of workmen in the dockyard at Portsmouth on Sunday last, and whether he would give directions for the discontinuance of such a procedure for the future?

Commons April 11, 1856

CUSTOM HOUSE REGULATIONS— QUESTION.

MR. HORSFALL

said, the hon. Gentleman, the Secretary to the Treasury had stated the other evening, that orders would 875 be sent to the out ports permitting the exportation of certain descriptions of manufactured articles. He understood that such orders had not yet been received in Liverpool, and

he wished to know whether the instructions to which the hon. Gentleman referred had been sent to that port?

Commons April 11, 1856

2 speeches — CUSTOMS' ESTABLISHMENT,— LIVERPOOL.

MR. HORSFALL

said, there seemed to prevail a general complaint of the unsatisfactory answers given to questions put to Ministers in that House. Just before the recess he put a question to the hon. Gentleman the Secretary of the Treasury having reference to the Customs' establishment at Liverpool, the answer to which was unsatisfactory. It was a question not affecting Liverpool alone. All the manufacturing places in Lancashire and Yorkshire were interested in it. They had a large amount of property intrusted to the officers of that establishment, and they all knew what the consequences generally were when men were inadequately paid. The question which he had asked the Secretary of the Treasury was, whether any Commissioner had been sent, or was intended to be sent, to Liverpool, to inquire into the complaints which had been preferred as to the inadequacy of the pay of a large body of men at the Customs' establishment of that port. The answer of the hon. Secretary was, that no such Commissioner had been sent, or was intended to be sent; that he (Mr. Horsfall) was very unreasonable, and that more had been done for the port of Liverpool than for any other port in the kingdom; that the Long Room had been revised and the salaries of the clerks had been raised; and when he (Mr. Horsfall) ventured to give an expression of dissent from that statement, the hon. Gentleman the Secretary of the Treasury said, in a somewhat triumphant manner, "The hon. Gentleman must allow him to know best, he having the papers before him." As he 886 (Mr. Horsfall) was not in the habit of asking unreasonable questions, he would shortly state the grounds on which he put his question. After repeated complaints had been made of the inadequacy of the pay of the lower officers in the Liverpool Customs' establishment, it was suggested that a Commissioner should be sent down to inquire into the subject; and his hon. Colleague on the other side of the House and himself addressed a letter to the Lords of the Treasury, respectfully submitting this to their consideration. They pointed out that this was the course which had been pursued by Lord Canning in reference to the Post Office of Liverpool, and which resulted in a settlement which was not only satisfactory to the mercantile interest, but to the clerks of the establishment itself. Six weeks elapsed and, no acknowledgment having been received, he called at the Treasury, when the Secretary stated that an answer had been sent. At that time his (Mr. Horsfall's) colleague was on the continent—he did not know but that it might have been received by him; but, finding that no such answer had been received at the end of two months, they addressed another letter to the Treasury. Well, they at length got an answer, stating that the matter was under consideration. It was not till six months afterwards that he put the question in his place in that House to the Secretary of the Treasury, when he, who represented nearly 500,000 of the population of the country, was to be told that the question was unreasonable; and that more had been done for the port of Liverpool than for any other port in the kingdom. He thought the hon. Gentleman made a slight mistake in that respect. It was the port of Liverpool which had done more for the Treasury than any other port in the kingdom, and it had done more for the revenue than any other port, and was therefore entitled to some consideration, and ought to have its Customs' establishment placed on a proper basis. But the hon. Gentleman said the Long Room had been revised and the salaries of the clerks had been raised. What had that to do with the complaint which had been preferred? The complaint spoke of the

lower grades of officers, and the hon. Gentleman tells the House that he (Mr. Horsfall) was very unreasonable in not being satisfied, because the higher grades of clerks in the Long Room had had their salaries raised. But what was the fact, even with regard 887 to those whom the hon. Gentleman had brought forward? Justice had not been done even to them. Compare their position with that of the clerks in the Long Room in London. In London they had sixty-six clerks, seven of whom have £500 per annum; whilst in Liverpool they had thirty-six clerks, who did at least three-fourths as much work as the sixty-six clerks in London, and yet Liverpool had only one clerk at £500 per annum. The hon. Gentleman had said that he (Mr. Horsfall) must allow him to know best; but with all respect for the hon. Gentleman and for his general attention to the commercial interests of the country, he ventured to say that he (Mr. Horsfall) knew more of the working and the requirements of the Liverpool Custom House establishment than the hon. Gentleman did; and if the necessary Returns for which he intended to move were granted to him he would undertake to show that great injustice had been done to officers of the Customs, especially of the lower grade, at, Liverpool, not only with regard to pay, but with regard to what are termed merit promotions.

MR. HORSFALL

said, a second letter was sent, informing the hon. Gentleman that no answer had been received.

Commons May 2, 1856

3 speeches — POLICE (COUNTIES AND BOROUGHES) BILL.

MR. HORSFALL

said, he did not expect such a proposition would come from a Liberal Government, and as he saw no good reason for disfranchising borough constables, he would move the omission of the words "Or within six calendar months after he has ceased to be such constable be capable of giving his vote for the election of a Member to serve in Parliament for such borough, or any county, in or to which such borough is situate, either wholly or in part, or adjoins, or for any borough within any such county, nor shall any such constable."

MR. HORSFALL

said, he did not oppose the whole clause. He considered that the police should be debarred from influencing elections, but not from the exercise of their franchise. Moreover, in times of disturbance the special constables were called out, and yet they often consisted of voters.

MR. HORSFALL

said, he would withdraw his Amendment, as he did not want to force the privilege upon the police if they did not wish to possess it.

Commons May 26, 1856

2 speeches — JOINT STOCK COMPANIES' BILL.

MR. HORSFALL

said, that he had a clause on the paper to the effect that the creditors should have the power of appointing one official manager, while the Court appointed the other. Would the right hon. Gentleman consent to it?

MR. HORSFALL

said, that there was a strong feeling in the community on the subject, and he should press his clause to be inserted instead of the original clause. It was to the following effect:—For the purpose of conducting the proceedings in winding up an insolvent company, and assisting therein, two persons should be appointed to the office of official liquidators, one of such persons being appointed by the Court, and the other by the creditors at a meeting held by them for that purpose; and the Court shall require due security from every person so appointed; and the Court and the creditors, as to the person appointed by them respectively, shall fill up any vacancy occasioned by the death, resignation, or removal of any other person; and the Court may remove any other person so appointed, either by the Court or by the creditors, and such removal shall occasion a vacancy, to be supplied as before mentioned.

Commons May 26, 1856

PARTNERSHIP AMENDMENT (No. 2) BILL.

MR. HORSFALL

said, that the right hon. Gentleman (Mr. Lowe) had told them the object of the Bill was not to alter the law of partnership, but he found in the preamble these words—"Whereas it is expedient to amend the law relating to partnership." If the Bill had been a final measure, he (Mr. Horsfall) would have been disposed to support it, but after the threat of the right hon. Member for Kidderminster, that next year another alteration in the law of partnership was to be proposed, he (Mr. Horsfall) would give his vote against it. If another Bill on the subject were to be brought forward next Session, why should not the present measure be postponed and amalgamated with it?

Question put "That the word 'now' stand part of the question."

The House divided:—Ayes 97; Noes 66; Majority 31.

Main Question put, and agreed to.

Commons June 6, 1856

RIOTS IN DEMERARA—QUESTION.

MR. HORSFALL

said, he wished to inquire of the Secretary of State for the Colonies if he had any objection to lay on the table of the House copies of Governor Wodehouse's Despatches on the subject of the recent riots in Demerara, and whether the right hon. Gentleman had received any further intelligence?

Commons February 11, 1857

2 speeches —SECOND READING. MERSEY CONSERVANCY AND DOCK BILL.

MR. HORSFALL

said, he rose to oppose the Motion, considering the measure as one of a most monstrous character, and which he trusted the House would not lend its sanction to its passing into a law. The Bill contained what professed to be a history of the Constitution of the Dock Trust, the Dock Committee, the Corporation, the Conservancy and Pilot Commissions of Liverpool, and others, and upon the suggestion of two self-constituted bodies in Manchester,—and he said it with no feeling of disrespect, but still self-constituted bodies—the House was now asked to abrogate the powers held by those different authorities under various Acts of Parliament, and to substitute for them a body of twenty-one persons, to be elected by the dock ratepayers. No charge of injustice or neglect of duty had been made against any one of those bodies which it was now sought to destroy, and no case had been made out for terminating a system which had hitherto been so well administered. The composition of the Dock Trust of Liverpool was not exactly understood either in that House or out of it. The trustees were twelve chosen from the town council, and twelve elected by the dock ratepayers; and the body thus composed had acted usefully and for the benefit of the commerce of Liverpool and of the whole country. It was, however, not at all surprising that there should be some misapprehension abroad as to the constitution of the Dock Trust, seeing that the august Board of Trade itself had been deceived, and had stated to the world, in a Report dated April, 1856, that the Dock Committee was composed as follows:— Twelve members are elected by the council of the borough and twelve by the dock ratepayers; but no person can be elected a member who has not both resided in or within eight miles of Liver- 497 pool for live years, and paid rates to the amount of £10 a year, either on his own account or as an agent for persons residing in or near Liverpool. Now, the latter statement was the very reverse of the fact, for any agent of a Manchester house, more than eight miles from Liverpool, duly qualified, was entitled to vote. No doubt objections would be raised to the veto which the town council could exercise upon the proceedings of the Dock Committee, but that veto appeared to him to be an advantageous and constitutional power, although it was one not very frequently exercised. He found that since 1851 there had been only one instance in which the power of veto had been exercised, and during the last thirty-two years there had been only thirteen such instances. It might also perhaps be urged upon the House that purchases of land were made from the corporation by the dock trustees. The fact was true, but what were the conditions? In 1790 the corporation gave the land and a large sum of money towards the formation of the first dock, and since then whenever any purchase of land had been made from the corporation for the purposes of the Dock Trust the sales had been based upon one of the four following conditions:—Either the land was sold for the same price which the corporation had paid

for it, or it was sold for the price which had been paid by other purchasers of land immediately adjoining, or the sum to be paid was fixed by the verdict of a jury, or it was arrived at by mutual agreement, subject to the consent of the Lords of the Treasury. All those modes of dealing were, he contended, fair and equitable. Another argument would be no doubt raised, that the Corporation of Liverpool had purchased the Birkenhead docks, but had not carried out their engagement to transfer those docks to the Liverpool Dock Trust. The fact was, the Birkenhead docks, being in a state of insolvency, were purchased by the Corporation of Liverpool upon the distinct understanding that, whenever the Dock Trust was in a position to make the purchase, the docks should be transferred to them; but from that time to the present the Dock Committee had never been in a position to purchase them, although the corporation had always been and still were willing to transfer the Birkenhead docks, and place them formally, as they already were practically, under one management with the Liverpool docks; and the object of one of the Bills which had 498 just been read a second time was to assimilate the rates and charges in both docks. The corporation had paid £1,443,000 for the Birkenhead docks, and would have to expend £1,500,000 more to complete them. A petition had been presented in favour of the Bill, to which was attached the seal of the Great Western Railway Company; and on another occasion he would have an opportunity of showing how that seal had been procured. He was quite sure the noble chairman (Viscount Barrington) of the company would not have permitted the seal of that body to have been affixed to a petition in favour of a Bill which was at variance with all the noble Lord's expressed opinions in and out of that House; and he (Mr. Horsfall) had received a letter signed by a number of proprietors of that line, protesting against what they conceived to be a gross misappropriation of their corporation seal. It was unworthy of the promoters of the Bill to have recourse to such means. It would have been far more creditable to have imitated the straightforward, honourable course which had been taken by Mr. Pender, he believed, of Manchester, who had sent out a vessel yesterday without payment of dues, and therefore was prepared to test in a Court of Law the right of the Corporation of Liverpool to levy them. Such a course, he repeated, would have reflected more credit upon the promoters of the Bill than the insidious measures by which they sought to obtain their object. He should therefore move that the Bill be read a second time that day six months.

MR. HORSFALL

said, he was not disposed to press his Amendment.

Amendment by leave withdrawn.

Main Question put and agreed to.

Commons February 27, 1857

RESOLUTION MOVED. RESUMED DEBATE (SECOND NIGHT). CHINA.

MR. HORSFALL

said, that he fully concurred with the last speaker in his admiration of the speech of the noble Lord the Member for London. He thanked the noble Lord for the manner in which he had spoken of the mercantile interests of the country, which formed a striking contrast with the language of the hon. Member for the West Riding. The noble Lord had said truly, that there were three points involved in the question before the House. The first related to the lorcha, which resolved itself into this—

whether the vessel was or was not *bonâ fide* a British vessel; and whether the Chinese thought that it was a British vessel when they committed the outrage. Now, there was ample evidence that she was a British ship, the name Arrow was not a Chinese name—the lorchâ was not painted as a Chinese vessel, 1532 and there was the British flag—yet the Chinese had boarded the vessel, and hauled down the flag. It was, he thought, evident that the insult was intended, and complete. The hon. and learned Gentleman who commenced the debate that evening, (Mr. Warren) had dwelt at some length upon the legal arguments which had been advanced by a noble and learned Lord (Lord Wensleydale) in another place; but the hon. and learned Gentleman had misconceived what the noble Lord had advanced. He would, therefore, take the liberty of reading to the House what the noble and learned Lord did really say. These were his words— Sir John Bowring had mistaken his case in supposing that the licence had expired; for it was clear it had not, as on the evidence it appeared that the captain of the lorchâ at the moment of the seizure was intending to return to Hong Kong, and renew his licence, having previously deposited his licence in the Hong Kong registry. He, therefore, concluded that the seizure was clearly wrong, entitling the British authorities to demand redress, and, considering the case precisely as it stood on the 8th of October, without any regard to subsequent events, he was not satisfied that the British officers had acted unwisely or imprudently in resorting to immediate force. Such was the opinion of Lord Wensleydale, and upon that opinion he (Mr. Horsfall) was prepared to rest his case as far as the law of the matter was concerned. The next point to which the noble Lord adverted was the demand of entrance into Canton, conceded by the treaty. Now, that treaty, he thought, was clear and explicit, and the British Commissioner had a perfect right to insist on its fulfilment if he chose. Whether it were prudent to do so or not he (Mr. Horsfall) would not then stop to inquire, but he did say, that there existed a perfect right on the part of the British Plenipotentiary to take that course if he thought proper to do so. They had been told that Sir George Bonham had relinquished that right; but those hon. Members who had taken the trouble to read the papers which had been presented to the House would find that there was a great difference between relinquishing a treaty and allowing it to remain in abeyance. The treaty was not relinquished, but only remained in abeyance until the proper opportunity arrived for insisting upon it. Whether the opportunity seized by Sir John Bowring was the proper opportunity, it was not for him to say. He (Mr. Horsfall) was not there as the advocate of Sir John Bowring. That functionary was the 1533 intimate friend of the hon. Gentleman the Member for the West Riding who had introduced the condemnatory Resolutions to the House. The next point to which the noble Lord referred, was the policy which it was the intention of Her Majesty's Government to pursue; but in the absence of any statement as to their intended policy, that was a point upon which, of course, he (Mr. Horsfall) could not offer any opinion. Leaving the noble Lord, he would now proceed to notice some of the observations of the hon. Gentleman the Member for the West Riding. If that hon. Gentleman had not made some observations personal to those whom he had the honour to represent, he (Mr. Horsfall) thought it very possible that he should not have made any remarks upon the subject under discussion; but if he allowed such language as had been used in that House to pass unnoticed, he should not be deserving of the honour which had been conferred upon him by the great commercial community of Liverpool. It was very well known in that House and out of it, that the hon. Member for the West Riding had a particular affection for Liverpool and Liverpool people, and that he took every opportunity of showing it, and had, therefore, availed himself of that afforded by the discussion of our quarrel with the Chinese. In the course of his speech he said— I will take the memorial of the East India and China Association of Liverpool. These gentlemen are telling our Foreign Minister what they wish him to do in China, and let hon. Gentlemen hear what these moderate gentlemen wish to see effected. And he then quoted these words— That a revision of the tariff of customs duties should be made consistent with the spirit of the treaty concluded by Sir H. Pottinger, namely, an *ad valorem* duty of 5 per cent on exports and imports. The hon. Gentleman did not object to that, but then he went on to say— This is certainly a

tariff which I should like to see applied to Liverpool. Let my Liverpool friends begin at home, and put themselves on the same platform with the Chinese. Now, there was no doubt about what the hon. Gentleman the Member for the West Riding had in view when he used those words. He recollected the penny which Liverpool made him pay on every bale of cotton which passed through that town. Then the hon. Gentleman went on to quote further from the memorial:— The British Government should insist on the right of opening to foreign trade any port on the 1534 coast of China, or on the banks of any navigable river at any time they may think fit, and of placing consuls at such ports; that our ships of war should have the free navigation of, and access to, all the ports and rivers of China. The hon. Gentleman then proceeded to say on his own account— As a friend, not an enemy of these gentlemen, I must say that such language as that is to be reprobated, because it tends to place us who sympathise with mercantile men at a great disadvantage, and regards even the naval and military classes. Contrast the kindly and conciliatory language used by General D'Aguilar and Admiral Cochrane with the downright selfish violence and the unreasoning injustice with which the Liverpool Association would treat an empire containing 300,000,000 people. Now, what was the intention, what was the view which hon. Gentlemen intended to convey to the House by that observation, but that the people of Liverpool intended to urge upon the Minister of the Crown to force their way into all the ports and rivers of China? Was not that the impression which the hon. Gentleman wished to convey to the House? [Mr. COBDEN: The word used is "insist."] Yes; but neither violence nor force was proposed by the memorialists;—but how could there be selfish violence unless by the exercise of force! Now, what were the facts connected with this memorial to Lord Clarendon? Did the hon. Member for the West Riding know them, or did he not? It was written upon the assumption that we were at war with China, and that consequent upon that war another treaty would be necessary. The memorialists did not propose to Lord Clarendon, as the hon. Member for the West Riding had stated, to force their way into the Canton ports and rivers, but they proposed—and very properly—that if a new treaty with China were rendered necessary, that in such a treaty the noble Lord should endeavour to obtain access to all the ports and rivers of China—a measure which he (Mr. Horsfall) contended would be beneficial, not only to the mercantile interests of this country, but to the whole empire of China. That was his reply to the charge of selfish violence against the merchants of Liverpool. There was no intention to urge upon the Government acts of violence; all they required was that in the ordinary course in which affairs of that nature were conducted, the Government should endeavour to obtain by treaty access to all the ports and rivers of China. Where was the selfish violence which the hon. Member for the West Riding had charged against the merchants of Liverpool. 1535 He hoped the hon. Member would explain what he meant when he came to reply, or else that he would withdraw his unfounded charge. Then the hon. Gentleman read other portions of the memorial; but he failed to read the last clause, in which he thought even the hon. Gentleman himself would admit that there was not much selfishness:—It was as follows: And that all other nations, whether parties to the treaty or otherwise, should possess the same advantages which may be conceded to Great Britain. He (Mr. Horsfall) thought there was much more selfishness on the part of a manufacturer who paid a penny upon every bale of his cotton which passed through Liverpool, taking every occasion in his power to drag his antipathies before the House. But let hon. Gentlemen mark the modesty of the hon. Member for the West Riding, which was quite characteristic of every speech which he (Mr. Horsfall) ever heard him deliver in that House. There was eloquence, no doubt, in his speech, and argument too, but not much modesty. He said, "I think I know more about the trade of China than these gentlemen." That might be the opinion of the hon. Gentleman himself. He told the House of many countries in which he had travelled; but he (Mr. Horsfall) had not heard him mention China? But the gentlemen who were connected with the East India and China Association of Liverpool traded with China, many of them had resided there many years, and they know precisely what were its wants and requirements. And yet the hon. Member for the West Riding told them that he knew more about China than those gentlemen. He (Mr. Horsfall) thought he might safely leave it

to the House to draw its own conclusion whether the charges which had been preferred against the merchants of Liverpool were at all justified? He might go a little further upon this point, but he did not wish unnecessarily to occupy the time of the House. But he would beg to remind the House and those hon. Friends who sat on that (the Opposition) side of the House, and who were about to follow the hon. Member as their leader on this occasion, that the hon. Gentleman's knowledge was sometimes a little at fault. He would remind them that this was not the first occasion on which the hon. Gentleman had told the House that he had more information than other people. He (Mr. Horsfall) did not 1536 forget that the hon. Gentleman told the country that there would be no war with Russia—that he could crumple up Russia like a piece of paper. He thought the hon. Gentleman had by this time found that it was rather a stiff piece of paper. Then the hon. Gentleman proceeded to speak of the civilization of the Chinese, and contrasted it with that of the Liverpool merchants, and of those who took part in the hostilities against China. Now bad as Sir John Bowring and Mr. Consul Parkes had been represented to be, he did not think that they were so bad as the person who had drawn up the proclamation which, though it had been so often referred to in the course of the debate, had not yet been read. The proclamation which was issued by Mr. Commissioner Yeh was a rare specimen of civilization, and he would read it for the benefit of the hon. Member:— The English barbarians have attacked the provincial city, and wounded and injured our soldiers and people. Their crimes are indeed of the most heinous nature. Wherefore I herewith distinctly command you to join together to exterminate them, and I publicly proclaim to all the military and people, householders and others, that you should unite with all the means at your command to assist the soldiers and militia in exterminating these troublous English villains, killing them whenever you meet them, whether on shore or in their ships. For each of their lives that you may thus take you shall receive, as before, thirty dollars. All ought to respect and obey, and neither oppose nor disregard this special proclamation. This was a proclamation which emanated from the hon. Member's civilized friend. He might just observe, that it appeared from the usual sources of information of that morning, that consequent upon this proclamation an English vessel was boarded and eleven persons murdered by the Chinese, and no doubt they received on account of the death of each of these unoffending persons the sum of thirty dollars. He wished the hon. Member for the West Riding joy of his civilized friends. He (Mr. Horsfall) would further observe that though he was not himself now engaged in the trade with China, he was so engaged some years ago. At that time he had a vessel lying off Canton, at the time of the great fire in that city. With the characteristic humanity of Englishmen, the captain and his crew—at least so many of them as could leave the ship—volunteered their services, and were thankfully admitted into the city. They assisted in extinguishing the flames, and fortunately they succeeded. 1537 No sooner had they done this great service than the civilized friends of the hon. Member for the West Riding, instead of thanking them for their services, turned upon them with their bayonets and drove the captain and crew out of the city. That was a specimen of the civilization of the people whom the hon. Member for the West Riding so highly extolled. He might follow the hon. Gentleman through many more of his observations, but he would not do so. There were many legal difficulties in the case which must be solved by wiser heads than his, by men who were competent to deal with points of law, and he would therefore content himself with stating in a few words why he should vote against the Motion which the hon. Member for the West Riding had proposed. He was not one of those who would refuse to vote with the hon. Gentleman because he generally differed from him on political questions, if he thought that the conclusion to which he wished the House to arrive was founded in justice. But he (Mr. Horsfall) believed that if the House should agree to the hon. Gentleman's Resolution it would be guilty of an act of great injustice. An assent to it would in effect amount to a direct censure on Sir John Bowring, an absent friend of the hon. Member for the West Riding. It would amount in effect to a censure on an absent Admiral—an Admiral who, if he (Mr. Horsfall) was correctly informed, was one of the most humane, as well as the most gallant Commanders in the British navy. It would amount in effect to a vote of censure on that

noble Lord who had so well and so successfully conducted the foreign affairs of this country for so many years. It would amount in effect to a censure on Her Majesty's Government; and although he differed from Her Majesty's Government on many questions, he was not one of those who could join in the proposed vote of censure against them on this occasion, because he did not see anything in the papers before the House which would in any respect justify such a vote. But he would go a little further. He must look at what the consequences of such a vote as this would be. When he spoke of consequences, he was not alluding to any party consequences, such as the difficulty, as some had supposed, in finding successors to Her Majesty's present Ministers, to accept the reins of Government; but he was alluding to more serious matters. 1538 What, he would ask, would be the effect in China of a vote on this question adverse to the policy of the Government? Hon. Members must bear in mind that the intelligence of any decision in that House adverse to the British authorities would reach the Chinese as soon as it would the British residents; and judging from the knowledge which a trade in that country had given him, and from the best information he could collect from those who were thoroughly acquainted with China, he would not undertake to be responsible for British property, British interests, or British lives, if this Resolution were agreed to. It was upon these grounds, amongst others with which he would not weary the House, that he should record his vote most cordially, most sincerely, against the Motion which had been proposed by the hon. Gentleman the Member for the West Riding.

Commons March 6, 1857

CONSIDERED IN COMMITTEE. WAYS AND MEANS.

MR. HORSFALL

regretted that the noble Lord the Member for London had withdrawn the notice which he had given, and that he had given so fallacious a reason for doing so. The difference might appear small, but 1s. 4d. would have satisfied the dealers and importers, while 1s. 5d. would not. A few years ago there was a great agitation for the reduction of the duty on tea, and the right hon. Gentleman the Member for the University of Oxford, being Chancellor of the Exchequer at the time, arranged a graduated scale of duties, by which, after a short time, the duty would arrive at 1s. Unfortunately the war broke out, and the right hon. Gentleman felt himself obliged to impose an additional tax. [Mr. GLADSTONE: No !] At all events to arrest the decline of the duty. That was done by Act of Parliament. Now though he did not attach much importance to the so-called compact between the Chancellor of the Exchequer and the House, or to the more statement of the Chancellor of the Exchequer to a deputation on the subject, he did attach some importance to an Act of Parliament. The Act in question was more than an ordinary Act. It provided that certain duties should be leviable during the war. When the war ended those duties were to cease, and so far there did appear to be a compact of the House in accordance with the proposition of the right hon. Gentleman 2013 the Member for the University of Oxford. But after the course taken by the noble Lord the Member for London, and after what had been said by hon. Members on the question, he felt placed in some difficulty as to the course he should adopt. Whereas he thought the right hon. Gentleman (Mr. Gladstone) right in principle, he had presented a petition from his constituents in favour of a duty of 1s. 4d., as the noble Lord the Member for London had proposed and withdrawn; now he was told by the chairman of the East India and China Association, that the merchants of London would be satisfied with the duty of 1s. 5d., which the Chancellor of the Exchequer had proposed as a sort of compromise. Conscious of the difficulty as to how he should vote, he thought the consistent course would be for

him to walk out of the House.

Commons May 21, 1857

COMMITTEE MOVED FOR. DUBLIN PORT.

MR. HORSFALL

wished to ask a question, upon the answer to which his vote would depend. It had been stated that these dues had been pledged by the city of Dublin to the Government in repayment of certain sums of money advanced by the Government. If so, he did think that the House would be guilty of an act of repudiation by consenting to remit these duties, and he should vote against the Motion.

Commons June 4, 1857

5 speeches — SELECT COMMITTED MOVED FOR. BOARD OF TRADE.

MR. HORSFALL

then rose to move, that a Select Committee to inquire into the origin, the past and present constitution, and the powers and duties of the Board of Trade, with a view to its better adaptation to the requirements of the country. He said, that he wished to express the deep sense he entertained of the difficulties of the duty which he had undertaken, and to disclaim being actuated by any 1123 personal or party feeling, or by any intentional disrespect or hostility to the noble Lord who presided with so much courtesy over the Board of Trade, or towards the right hon. Gentleman the Vice President of the Board. He was happy to admit at once that the Board of Trade was not a sinecure Board. His complaint, on the contrary, was, that it did too much. Its duties were too numerous, too varied, and too complicated, to admit of their being satisfactory and efficiently discharged. Before going into the main question, perhaps he might be permitted to glance briefly at the history of the Board. It was in 1636, that the first Board of Trade was appointed, in the time of Charles I. In 1655, Cromwell reconstituted the Board, and appointed his son Richard at its head. It then was composed of certain Lords of the Council and twenty merchants, summoned from various parts of the kingdom, Liverpool being then too insignificant to have a representative upon it. After the death of Cromwell, during the reign of Charles II., and in the year 1660, another alteration took place, and it was divided into two boards—one the Board of Foreign Plantations, and the other the Board for the Superintendence of Commerce. Those two departments were again united in the year 1672; but fresh changes were made in its constitution in 1696, and again in 1699, the principle, however, upon which it was formed remaining nearly the same until 1780. It then became very unpopular; and there being a general conviction that the Board was wholly unnecessary, Mr. Burke in that year introduced a Bill which, amongst other objects, proposed to provide for the abolition of the Board of Trade. This proposition led to a very animated debate, in a full House, when the clause for abolishing the Board was carried by 207 to 199. The observations of Mr. Burke on that occasion were so pertinent to the question then before the House that he hoped he might be allowed to quote a few of them. Mr. Burke said,— I speak, Sir, of the Board of Trade and Plantations..... I have known that Board, off and on, for a great number of years. Both of its pretended objects have been much the objects of my study—if I have a right to call any pursuits of mine by so respectable a name. I can

assure the House, and I hope they will not think that I risk my little credit lightly, that without meaning to convey the least reflection upon any one of its members, past or present, it is a Board which, if not mischievous, is of no use at all, You 1124 will be convinced, Sir, that I am not mistaken if you reflect how generally it is true, that commerce, the principal object of that office, flourishes most when it is left to itself. Interest, the great guide of commerce, is not a blind one. It is very well able to find its own way, and its necessities are its best laws..... In the reign, indeed, of Charles I., the Council or Committees of Council were never a moment unoccupied with the affairs of trade; but even where they had no ill-intention (which was sometimes the case), trade and manufacture suffered infinitely from their injudicious tamperings. But since that period, whenever regulation is wanting (for I do not deny that sometimes it may be wanting) Parliament constantly sits, and Parliament alone is competent to such regulation. We want no instruction from Boards of Trade or from any other Board; and God forbid we should give the least attention to their reports. Parliamentary inquiry is the only mode of obtaining Parliamentary information. There is more real knowledge to be obtained by attending the detail of business in the Committees above stairs than ever did come or ever will come from any Board in this kingdom, or from all of them together. But, notwithstanding that division, the mercantile interest of that day, like the same body at the present day, were anxious, not for the abolition, but the re-constitution of the Board. He admitted that that Board had, in many respects, done good service to the country, and that it had been presided over by many eminent persons, both in that and the other House. What he wanted to direct the attention of the House to was, the constitution of the Board. He would not enter into the question whether the Archbishop of Canterbury and the Bishop of London were or were not now members of that Board, though he believed they were not very long ago. But he would accept the definition of the Chancellor of the Exchequer, who, when speaking of savings banks, said that he would have nothing to do with the honorary Commissioners, he was the only responsible party—that the President of the Board of Control was the responsible Member of that Board; and that the responsible parties at the Board of Trade were its President and Vice President. The first point which presented itself was this:—What were the duties which the Board of Trade had to discharge? It had been truly said by Mr. Thomas, of the Record Office, that the duties of the Board of Trade were of the most miscellaneous character. It was their duty to advise the Colonial Secretary on questions affecting the commerce of the Colonies; to advise the Lords of the Treasury on matters affecting the Customs and Excise; to communicate with the Foreign Secretary on commercial treaties; 1125 to supervise every Order in Council; to report on every local Bill, including every Dock Bill and every Railway Bill for the guidance of Parliament; to superintend generally agricultural statistics and those of the corn trade, of commerce and navigation, and of railways; to attend to the Department of Science and Art at Marlborough House, to the Mining Record Office, to the Geological Survey of the United Kingdom, the Museum of Irish Industry, the Registration of Designs, the Metropolitan Water Supply, the Coalwhippers Office, &c. And if the duties which the Board of Trade had already to perform were not sufficient, in order to make the list complete, he would suggest that the duties consequent on the passing of the Medical Bill, the Industrial Schools Bill, and the Aggravated Assaults Bill should devolve upon that Board. He believed that it was impossible for any Board to attend to duties so multifarious and various in a manner to satisfy the public; and, in point of fact, the body to which his Motion related certainly had not conducted the affairs entrusted to it satisfactorily, either to the commercial or to the other interests of the country. He would advert, in proof of this, to the feeling of dissatisfaction which prevailed with respect to their administration of the Merchant Shipping Act, 1854. Meetings were now being held, and petitions were being sent up from every seaport, complaining of that Act, and of the manner in which its provisions were carried out. In 1850 the present Secretary of State for the Colonies (Mr. Labouchere) introduced a Bill on this subject, which recognised the great principle of local self-government, in opposition to that of centralization, by giving local Marine Boards to the principal ports in different parts of the kingdom. On these Boards

devolved the duty of inquiry into the cause of wrecks, and the misconduct of merchant captains or officers, and generally into the cause of casualties at sea. He spoke from the experience which he had had as a member of the local Marine Board at Liverpool, when he said that no Boards could have worked better than those thus constituted, or have given more general satisfaction. But when Mr. Cardwell introduced the Merchant Shipping Act of 1854, for which he obtained deserved credit, he made some few mistakes, and amongst them was the clause by which he transferred the power exercised by these Boards to two justices or a stipendiary 1126 magistrate. The result of this step had been to create the greatest dissatisfaction amongst the mercantile marine. And he could with confidence ask the House to compare the constitution of the local Marine Board with the tribunal to which the matters in question were now referred. By the Act of 1850 the local Board consisted of six shipowners elected by the shipowners of the port, and of four merchants or shipowners appointed by the Government, and they had the advantage of the legal advice of the stipendiary magistrate, of the presence of the examiner of seamanship—a merchant captain of great ability, appointed by the Board of Trade—and of the scientific examiner in navigation. He thought it would have been impossible to appoint a more efficient tribunal for the purpose for which it was instituted. How much more satisfactory was this than the appointment of two magistrates, who might not know the mainmast of a ship from the bowsprit. To remedy this, it was true that the Board of Trade appointed a naval assessor—but this provision was far from giving satisfaction. Mr. Cardwell, when the Act in question was passing through the House, told him (Mr. Horsfall) that the powers proposed to be given by it were merely permissive. Now, if they had not been exercised no complaint would have arisen. It was because they had been exercised that they had created such general complaints amongst the general body of merchant captains, 25,000 in number. He should, indeed, be told that but few cases had been transferred to the tribunal of which he complained. But those cases were the most important ones which were thus taken from a competent tribunal, the local Marine Board, and transferred to what was considered an incompetent, stipendiary magistrates, assisted by a naval officer. Now, he should not be suspected of saying anything disrespectful of the officers of the navy when he contended that a naval officer was not, under the circumstances, the fittest man to judge of the conduct of captains of the merchant service in critical emergencies. He did not know the circumstances in which they were placed, or the difficulties with which they had to contend. A naval captain went to sea with officers, and a crew whom he knew, but a merchant captain had under him twenty or thirty men, all strangers. Was it to be wondered at, then, that a naval captain should carry his ship, under 1127 such circumstances, through a gale of wind, while a merchant captain lost his? Was it to be said that that was owing to negligence or carelessness on the part of the merchant captain? What the merchant captains contended for was, that they should be tried by their peers in cases of misfortune or misconduct, as the officers of the navy were. Now, the local Marine Boards had amongst its members merchant captains. The navy were tried by their peers—why should not the merchant service? He thought the former therefore had great reason to complain of the manner in which the Board of Trade had exercised these permissive powers entrusted to them by the Merchant Shipping Act, by appointing an incompetent and unjust instead of a competent and just tribunal. But this was not all. The Board of Trade, not content with discharging the duties imposed on them by the Legislature, had systematically grasped at every possible extension of their jurisdiction. Thus, under the 148th section of the Merchant Shipping Act, the owners of any vessel that was in distress or lost were obliged to make a return to the Board, giving the name and description of the owner and of the ship, a statement of her cargo, of the ports from and to which she was bound, of the occasion of her being in distress, and of the services rendered in her salvage. That was all very proper, and though he should have imagined that information to be sufficient; the clause went on to say, "and such other matters on circumstances relating to such ship, or to the cargo on board the same, as the receiver or justice think necessary." Would the House believe that, under these words, the Board had applied to owners whose vessels had been lost or gone ashore for a statement

whether she and the cargo were insured or not; and if the former, the amount of the insurance, where the insurance was effected. There is nothing in the section he had referred to to justify such a demand, which was most unjustifiable in its character, and calculated to inflict serious injury either upon the merchant or the underwriters—more especially when it was recollected that the information thus directed to be sent to the Board of Trade was not to be confined to them, but was to be posted up at Lloyd's. Now, what mercantile man would like to have it posted at Lloyd's that he had lost £50,000 or £60,000 uninsured; or, in 1128 case of insurance, what underwriters would like to be posted as liable for that sum? In one case, a person who had been asked for this information had been advised to tell the Board of Trade, by way of answer, to mind their own business and that he would mind his; and such an answer, in more courteous terms, was returned. There were, in fact, constant complaints of the interference of the Board of Trade in all directions. When he served upon the local Marine Board at Liverpool no differences took place between them and the Board of Trade. The business entrusted to them was conducted harmoniously and successfully. But of late the interference of the Board of Trade had reached such a pitch that the whole of the members of the local Board of Trade had resigned their seats. Those gentlemen served the public gratuitously, and with the utmost assiduity and integrity, but they were constantly thwarted by the Board of Trade. Since he gave notice of this Motion, the late chairman of the Liverpool Board wrote to him in these words:— Although the Board in London did on all occasions concede in the end our recommendations, it was generally the result of long, wearisome, unnecessary correspondence. A great number of cases had been brought to his notice in which masters of ships considered they had been hardly dealt with, and in others it was complained that the action of the Board of Trade had not been sufficiently stringent. In the latter cases he believed, however, that the Board of Trade had acted strictly in accordance with the letter of the law. In one instance the licence of a captain who was a notorious drunkard had been renewed, after he had been absent from the country for three years, because the owners of his vessel were unable to obtain *vivâ voce* evidence of his habits, and they could not proceed upon written evidence. In that case he believed the Board had no alternative. He (Mr. Horsfall) agreed entirely with the observations of Mr. Burke as to the functions of the Board of Trade with reference to reporting upon local Bills. He thought it was inconsistent with proper legislation that a Board—or, rather, one or two individuals—should, without hearing any but *ex parte* evidence, be allowed to send to Members of Parliament, who were to sit as jurors to consider the merits of private Bills, reports which were in favour of or opposed to those Bills. Such a sys- 1129 tem he regarded as altogether inconsistent with the principles of the British constitution. He would not enter into the question of local dues. It had been said that he meant to take occasion in bringing forward his Motion, to refer to the subject of local dues; but he could assure the right hon. Member for Kidderminster (Mr. Lowe) that he did not intend to make the slightest allusion to that subject. He might state, however, that there were hon. Gentlemen on both sides of the House who were opposed to him on the question of local dues, but who meant to support the present Motion. He could not help taking that opportunity of referring to one measure, the Birkenhead Docks Bill, which was at present under the consideration of a Committee. Hon. Gentlemen could have no conception of the obstructions which had been thrown—many of them, he feared, by Committees acting upon the recommendations of the Board of Trade—in the way of constructing docks at Liverpool and Birkenhead. For want of sufficient dock accommodation at those places vessels were kept waiting not only for days, but for weeks, before they could discharge their cargoes. It was not Liverpool alone that suffered from this state of things, but the whole trade of the country and the Public Exchequer were also affected. A very long Report had been made by the Board of Trade with reference to the Bill to which he alluded, and he would read a paragraph from that document:— As regards the first of the above Bills, involving, as it does, nautical and engineering questions, my Lords have only to observe, as they observed last year, that the plans to be adopted should be such as to meet the wants, not merely of the town of Liverpool, but of all persons in the

country who are interested in the trade of the Mersey. They think it the more important to make this observation, since the Admiralty, who in general report on all questions of this kind on behalf of the public, have not done so of late years, in consequence, it is believed, of the creation of the Mersey conservancy. But there was a singular censure passed upon the Board of Trade by the Admiralty, who said, with reference to this Bill:— It appears from the plans and sections transmitted to the Admiralty that the subject of giving every facility for vessels of all classes to dock and undock, and of affording every accommodation to the trade, has been well and deeply considered by the engineers of the corporation, and as regards the docks and their entrances their Lordships have no objection to make. With respect to the further accommodation to shipping so much wanted in the Mersey, their Lordships consider it would be highly desirable that works on which so 1130 much time and money had been spent, should now be carried out and completed, and that the corporation of Liverpool, who ought to be the best judges of the requirements, and who have the greatest interest in the outlay, should be permitted to complete works which have remained so long in abeyance. He hoped the hon. Baronet the Chairman of the Committee on the Birkenhead Docks Bill and the Members of that Committee would recollect the Report of the Board of Admiralty as well as that of the Board of Trade. He did not think the House could have any conception of the loss which resulted to the trade of the country, and to the public revenue, from the want of dock accommodation at Liverpool. He might illustrate this point by reference to what occurred on another. In 1835 there were only 110 landing waiters at Liverpool. Representations were made to the Board of Customs that vessels could not get landing-waiters, but the answer was that Liverpool had landing-waiters enough, and that no addition would be made to the number. For ten years these representations were continued without any effect, although in that time the trade of the port had increased 60 per cent. He begged to say, that this was at the period when Mr. Dean and not Sir Thomas Freemantle was Chairman of the Board of Customs. The consequence was, that vessels were detained a fortnight or three weeks waiting for a, landing-waiter before they could be discharged, at a great loss both to the merchant and the Government. So great was the grievance, that American captains stated the matter to the owners of their vessels, and representations came over from America, complaining that their captains and ships were often detained in the Liverpool docks waiting for a customhouse officer a longer time than it took them to make the voyage across the Atlantic. A committee was then appointed at Liverpool, who drew up a statement showing that the loss to the trade of Liverpool and Manchester and the manufacturing districts amounted to several hundred thousands of pounds annually from the detention of the outward and homeward ships and cargoes. A representation embodying these facts was then presented by a deputation to Sir Robert Peel, who was much surprised by the facts they detailed to him, and said, "This matter, gentlemen, shall have my personal attention." And although for ten years nothing had been done, in six weeks from that time Sir R. Peel had put on fifty-six 1131 additional Custom House officers, of whom twenty were landing-waiters. If the House would consent to a Committee, he hoped that, on receiving its Report, the noble Lord (Viscount Palmerston) would make them the same promise with regard to the Board of Trade—that he would give the matter his personal attention—and then he was sure that he would reconstitute it, and that after that reconstitution, instead of being, as now, an obstruction to trade, it would be the means of a great increase, both of the commerce and of the revenue of the country. It was not for the sake of Liverpool alone that he pleaded, but of the country generally, whose commerce was coming to a dead lock for want of the necessary dock accommodation, the provision of which had been impeded by the reports and interference of the Board of Trade. He next came to the subject of the Returns with respect to the corn trade published under the authority of the Board of Trade. It was his impression that those Returns were not accurate; but he should not have ventured on his own authority alone to hazard an opinion on this point. He had, however, received a letter from the chairman of the Liverpool Corn Association, enclosing the following resolution of the Committee of that body passed yesterday upon this subject:— Resolved,—That the official Returns

of grain are generally regarded by the corn trade throughout England as utterly worthless for any statistical purpose, and since the repeal of the Corn Laws these Returns have had no other use. Such a statement is strongly instanced by the fact that in or about June, 1855, it having become desirable that the quantity of British corn actually brought into the home market, as indicating the probable stock remaining in the hands of the farmers, should be accurately estimated, the Board of Trade Returns were examined in the belief that as they had been uniformly taken for some years past they might be found to be useful. Upon such examination it was observed that the buyers had of late been making few Returns, and a circular was immediately issued to the local inspectors, which had the effect of producing a very large increase in the number of Returns made by the buyers, showing at once the fallacy of previous Returns as a ground of calculation, or of accuracy as regards statistics in any shape. The following was the opinion of the president of the Liverpool Agricultural Society. It was contained in a letter which he had received from that gentleman two or three days ago:— I am decidedly of opinion that any system of agricultural statistics worked by the Board of Trade, constituted as it is, would be of little or no practical value. Even the Scotch statistics, 1132 creditable as they are to those who have got them up, command little or no confidence in the corn-dealing world. Mr. H—farms some 3,000 acres in Scotland, and as a contributor to the figures, and knowing well how they are obtained, places no reliance on the result. Thus much for the corn statistics of the Board of Trade. He should next call the attention of the House to a subject in which those who were connected with the landed interest were deeply concerned—he alluded to the supply of guano, and he should read upon that subject the opinion of the chairman of a committee of the Liverpool Chamber of Commerce, who was perfectly unprejudiced in the matter, and who could not be supposed to be actuated by any unkindly feeling towards the Board of Trade. That gentleman said:— You will, doubtless, remember accompanying a deputation from this chamber to the Board of Trade, in 1854, on this subject. In this neighbourhood the monopoly of the guano of Peru has always been deemed evidence of a gigantic blunder on the part of the Government, and we suppose of the Board of Trade. This will not be forgotten as long as that supply exists, and is so locked up. And lately, when the Kuria Muria Islands were found and granted to the British Government, we hoped that some official effort would be made to repair that mistake. On the contrary, we see another monopoly created, and in a way that puzzles as well as annoys us. The Emigration Commissioners, who seem to be subordinate to the Colonial Office, and to have nothing to do with guano or with trade, make a grant of the islands to a private firm, the value of which is already currently estimated at a million sterling. We do not blame Messrs. Ord, Hindson, and Co. They seek profit and have found it, and there is no dishonesty in asking for such a grant. But we do think a department of Government, taking upon itself the control and management of our trading relations with Foreign Powers, should have used a little more vigilance on behalf of the public—the buyers of this guano—and through them of the nation at large. Now, it had been his duty in conjunction with the chairman of the Shipowners' Association of Liverpool to wait upon the Secretary for the Colonies upon the subject referred to in that document, and he was bound to say that the right hon. Gentleman had evinced the utmost desire to facilitate the attainment of the object which they had in view. The result had been that the Shipowners' Association, as the representatives of the shipping interest of the United Kingdom, had agreed upon certain terms with the representatives of the lessees of the islands in question, which they had submitted to the Secretary of the Colonies for approval. He had very properly referred those terms to the Board of Trade, that they might pronounce their opinion with regard to them; and in order 1133 that the House might understand exactly how the matter stood, he (Mr. Horsfall) might briefly state the nature of the terms of the arrangement, as well as the answer which had been returned upon the part of the Board of Trade. The terms of the arrangement set forth that the trade in guano was to be confined to importation into the United Kingdom; to be open to all parties on payment of £1 per ton and the royalty of 2s. per ton for the first year, and 4s. per ton for the second and subsequent years, and that all parties were to be treated alike upon the

basis of the terms, without any partiality. When he had transmitted those terms of arrangement to the Secretary for the Colonies, he had taken the liberty of suggesting that, as no duty was payable on Peruvian guano, the Government ought to relinquish the small royalty of 2s. and 4s. which they claimed. Now, if such a proposition were made to the Chancellor of the Exchequer, he could very well understand his replying to it in the negative, but he could not quite so well comprehend why the Board of Trade, whose duty it avowedly was to protect and promote commerce, should refuse to accede to it. Such, however, had been the case, and not only had the proposition been negatived, but it had been put forward as an excuse for its rejection, that it would tend to create a monopoly upon the part of the Liverpool shipowners, notwithstanding the terms of the arrangement were so explicit upon that head, that it was impossible any person of common sense could have made a mistake as to their meaning. The following was the letter in reply, addressed to the right hon. Gentleman the Secretary for the Colonies:— Office of Committee of Privy Council for Trade, Whitehall, April 14, 1857. Sir—I am directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 3rd instant, enclosing for the opinion of their Lordships a letter from Mr. Horsfall, which accompanied the copy of an agreement recently entered into between the Shipowners' Association of Liverpool and Messrs. Hindson and Hayes, on behalf of the licencees of guano in the Kuria Muria Islands. My Lords direct me to state, that in their view of the policy to be observed with regard to these islands, the object of Her Majesty's Government was to secure for the benefit of agriculture in the British territories the deposits of fertilizing material which they have been represented to contain; and that, by throwing open to shipping in general the carriage of that article, its supply would be ensured to these countries on the most advantageous terms. Their Lordships cannot but apprehend that 1134 any special agreement between the agents of the licensees and a section of the shipping interest of these kingdoms, confined to a single port, is inconsistent with the wider interests involved; and that any favour or advantage shown directly or indirectly to one association of shipowners, as it must necessarily be to the prejudice of the rest, would ultimately react on the interests of agriculture. For this reason, my Lords are of opinion that Her Majesty's Government cannot recognise an agreement such as that which has been submitted by Mr. Horsfall; looking, as they must, to see all shipping embarked in the trade treated on a footing of perfect equality. As to the other suggestions of Mr. Horsfall, that inasmuch as there is no duty on the importation of guano from Peru, Her Majesty's Government should forego the small payment in the shape of a royalty, payable on guano from the Kuria Muria Islands, my Lords have only to observe, that they are not prepared to recommend a compliance with the application.—I am, &c., (Signed) "J. EMERSON TENNENT. H. Merivale, Esq., &c. The House would recollect that what the association asked for, was not, as represented in this letter, any advantage for "a section of the shipping interest;" but a measure which it conceived would promote the general interests of the British shipping. And, accordingly, this letter was written to the Under Secretary of the Colonial Department, by whom the reply of the Board of Trade had been forwarded to the association:— Shipowners' Association, Liverpool, May 17, 1857. Sir—Mr. Horsfall having forwarded to the Committee of the Liverpool Ship-owners' Association your letter of the 17th ult., together with a copy of a letter of Sir J. Emerson Tennent, containing the views of the Lords of the Committee of the Privy Council for Trade, with respect to the terms of arrangement between the Committee of the Association and the representatives of the lessees of the Kuria Muria Islands, to form the basis upon which the guano trade at those islands should be carried on, I have been requested to inform you that the same have been taken into consideration by the Committee of the Association, and the Committee regret to find that there has been a great misunderstanding on the part of the Board of Trade of the character of the interference by the Association in this matter, and the object of the terms of arrangement. The shipowners constituting the association are associated for the purpose of promoting the general interests of British shipping, and not of promoting any private interests of themselves, as a body, or of its members, and their interference in this question was entirely on

public grounds. In a very early stage of the question of the supply of guano from these islands, and as soon as the lease to Captain Ord and others became matter of discussion in Parliament and elsewhere, this association, through their Chairman, Mr. Graves, and Mr. Horsfall, M.P., had communications with Mr. Labouchere, and in the course of those communications it was considered that this association might be of service in arranging 1135 with the lessees in Liverpool some terms of a general character upon which the trade at the islands might be carried on, such terms being for the benefit of shipping in general, and for the promoting of the great object in view—namely, that of obtaining an increased supply of guano to this country on the most advantageous terms, and the association had not the most remote idea that the terms which they arranged with the lessees, and a copy of which was immediately laid before Mr. Labouchere, would be construed into a 'special agreement' between the agents of the licencees and a section of the shipping interests of these kingdoms, or that it would be considered that any 'favour or advantage' was to be obtained thereby, directly or indirectly, to the association. The Committee would beg to point out that the first article of the terms provides that the trade is to be 'open to all parties;' and by the sixth article 'all parties are to be treated alike,' and they would have supposed that by such expressions as these it was apparent, on the face of the terms, that they were not entered into for the exclusive benefit of the association, as a body, or of its individual members. The Committee can only suppose that the misunderstanding by the Board of Trade of the object of the terms of arrangement must have arisen from their not having been acquainted with the communications and interviews which had previously taken place between Mr. Labouchere, Mr. Horsfall, and Mr. Graves. With regard to Clause 3 of the terms—namely, that the licences should be granted only through the lessees at Liverpool, the Committee would observe that this was a stipulation insisted upon by the lessees, and that the Committee considered it one with regard to which they could not interfere, as it was a matter of detail in the carrying on by the lessees of their business in this country. I have been further requested to mention to you that a rumour is prevalent that some parties contemplate obtaining guano at the islands, and clearing there for the Cape of Good Hope, and at that place obtaining fresh papers enabling their ships to proceed with the guano to foreign countries; and the Committee deem it right to call the attention of the Secretary for the Colonies to this rumour. I have the honour to be, Sir, Your obedient servant, (Signed) "JAMES SMITH, Deputy Chairman. H. Merivale, Esq., Under Secretary, Colonial Department. But there was also another department under the superintendence of the Board of Trade—he alluded to our railways. The House was aware that a very wise and proper provision existed, in accordance with which it was necessary before any railway was opened, that a competent engineer should be sent to inspect it, and to report upon its construction. But was that provision, he would ask, complied with? He should confidently answer that question in the negative. Competent persons were not sent by the Board of Trade to inspect the new lines of railway, and in 1136 proof of that he might adduce one instance which, he thought, would clearly establish that the view which he took upon the subject was correct. He held in his hand the report of an engineer—Mr, G. P. Bidder—which was addressed to the Chairman and Directors of the Norfolk Railway Company, and which went back as far as the year 1849,—and came down to the year 1856—the former was of course a period at which the right hon. Gentleman the present Vice President of the Board of Trade was not responsible for anything which might have taken place in connection with the department. He should, with the permission of the House, read a few extracts from the Report— In 1849 the Government Inspector reported to the railway department of the Board of Trade that the Torksey viaduct and bridge over the River Trent, on the Manchester, Sheffield, and Lincolnshire line of railway, was insecure, and 'could not be opened with safety to the public.' The Government Inspector required additions to be made to its strength, which the engineer of the railway declared to be unnecessary, and which he refused to recommend the railway company to make. After three months' correspondence and delay the Board of Trade consented to certain experiments being tried before the Government Inspectors, in order to ascertain the strength of the bridge. These

experiments took place on the 28th March, 1850; and on the 6th of April the Board of Trade informed the directors of the line that they had 'reconsidered' the propriety of allowing the line to be opened, and were willing to allow it to be used. It has been used from that day to the present time without a single accident—thus demonstrating that it is not 'inspection' but experience' that alone can demonstrate what is strength and what is weakness. In the same way, the railway department of the Board of Trade refused, on the report of their inspectors, to allow the opening of the line from Waterloo Station to Vauxhall on the Southwestern Railway, on account of the assumed insufficient strength of the bridge which spans the Westminster-road. After considerable delay, the line was allowed to be used without the bridge being strengthened. The whole traffic of the line had ever since passed across that bridge without a single accident, or threat of one. These facts and instances illustrate the conclusion that in reporting the bridges and viaducts of the Eastern Counties Railway as in 'a dangerous state of decay,' and in laying down the principle that wood cannot be considered 'a safe material for railway structures,' Lieutenant Colonel Wynne has embodied in an official Report statements which neither experience nor reason justify. And they further appear to indicate that the railway department of the Board of Trade is in the habit of receiving from its inspectors reports and representations of a character calculated to excite needless alarms, and that it is also in the habit of assuming, upon those Reports, a false position, from which, sooner or later, it is obliged to recede.¹¹³⁷ In another part of the same Report was this statement— In order to inquire and report satisfactorily respecting a railway it is necessary that the inspectors should be persons of enlarged experience, accustomed not only to the construction of railways, but to their daily use. In the present, and in other cases, the Reports to the Board of Trade upon railways, their working, and their condition, have been made by a gentleman who has never himself been engaged in the construction of a single mile of railway or of a single bridge, who practically knows nothing about either, and whose only source of practical acquaintance with the subject on which he so strongly reports is that practice of inspection of new railways which for all useful purposes every civil engineer knows to be valueless and absurd. When we remember that with a host of eminent officers of engineers employed in the Crimea, her Majesty's Government nevertheless thought it proper to entrust practical civil engineers (the principal of whom was engaged in the construction of your line) with the duty of laying down six miles of railway from Balaklava to the heights, it certainly does appear not a little anomalous that that Government should think it proper to commit the inspection of the railway works of practical civil engineers to men of the very class to whom they could not commit their construction ! A great variety of cases had been submitted to him, in which the Board of Trade had interfered too much, and others in which they had interfered too little, but he would not go into them, nor would he go into local grievances; but he would just state, that when the Chamber of Commerce at Liverpool applied to the Board of Trade to introduce a Bill, to amend the laws relating to prices of landing, they were told to get their own Members to do it, and when he introduced it they struck out the most important clauses. He would just also remind the right hon. Gentleman the Vice President of the Board of Trade that when the commercial interests of the country wished to introduce a clause into the Joint-stock Company's Act relative to the official liquidations, the Board of Trade opposed the proposal, and induced the House to reject it. That clause was in principle inserted in the Bill in the House of Lords on the Motion of Lord Brougham. He had sufficiently shown, he thought, that the Board of Trade, as at present constituted, was not fitted to discharge the duties which were imposed upon it, and did not give satisfaction to the country. Without any disrespect to the House of which the noble Lord at the head of the department was a Member, or to the profession to which the right hon. Gentleman the Vice President belonged, it was the universal feeling of the commercial community that a peer ¹¹³⁸ and a lawyer were not exactly the persons to preside over the commercial interests of the country. Had he deemed it necessary he might have occupied the time of the House at much greater length in detailing his reasons for making this Motion; but he had stated enough to justify him in so doing. He felt that he

might appeal with confidence to the representatives of the commercial, manufacturing, agricultural, and railway interests for support. But he preferred appealing rather to the candour of the noble Lord at the head of the Government and to the justice of the House of Commons to grant him this Committee, for which he now begged to move.

MR. HORSFALL

I beg the right hon. Gentleman's pardon, but I said nothing of the kind. My complaint was that the Board did not send down competent engineers to inspect railways

MR. HORSFALL

They are appointed by the Board of Trade.

MR. HORSFALL

The Board of Trade has power to appoint the magistrates, or a stipendiary magistrate.

MR. HORSFALL,

in reply said, that in reference to an observation which had fallen from the right hon. Baronet the Member for Carlisle, he denied that he had made any attack on Mr. Huskisson. He had been a strenuous supporter both of Mr. Huskisson and Mr. Canning, and he wished it could be said that the right hon. Baronet had been as consistent a supporter of those great men. [Sir J. GKAHAM said, he had uniformly supported them.] His impression was that the right hon. Baronet, who had represented so many places and held so many opinions in this House, had been both a supporter and opponent of their policy; but of course, after the assurance 1175 of the right hon. Baronet, he must be mistaken on that point. He thanked the Vice President of the Board of Trade for the good humour with which he had replied to his observations, but he was incorrect in saying that he (Mr. Horsfall) had sneered at the noble Lord the President of the Board. He had particularly guarded himself against such a charge, by observing that he should refer to that noble Lord, as well as to the right hon. Gentleman himself, with the utmost respect. The right hon. Gentleman said that no case of injustice had been brought forward. He would, however, bring forward many if the Committee were granted, though he did not choose to take up the time of the House by detailing every case at the present moment. There were, however, a few of the general observations of the right hon. Gentleman, which he felt bound to notice. The captains of merchant ships conceived that they were not tried by a proper tribunal; and he thought the Government and the Board of Trade ought to endeavour to remove that feeling. He regretted that when a question was put to the right hon. Gentleman (Mr. Lowe) on this subject the other evening, he said he was not aware that any intention existed on the part of the Government of proposing an Amendment of the Mercantile Marine Act. It would have been much more satisfactory had the right hon. Gentleman stated that if a substantial case of injustice could be established the Government would give the subject careful consideration, with a view to the amendment of the law. With reference to the guano traffic the right hon. Gentleman assumed that because the lessees resided at Liverpool the shipowners at that port were endeavouring to monopolize the trade. That argument was most absurd. It was true that the lessees, to whom a monopoly had been improperly granted, were a Liverpool firm, but there was no desire on the part of the Liverpool shipowners to exclude from the trade vessels sailing from London or any other port. He (Mr. Horsfall) had been accused by the right hon. Gentleman of making this a Liverpool question. It would doubtless have been considered somewhat extraordinary if he had entered into the complaints which were made at Southampton and other seaports of the

kingdom, and he had thought the proper course was to confine himself to circumstances which had come under his own observation. This was not a local question; it was a national question; and 1176 whatever the decision of the House might be that night, the matter could not rest as it was. The right hon. Gentleman had spoken with some degree of contempt of the local Marine Board of Liverpool, and had intimated that that "guild" was not a fitting tribunal to decide upon the cases to which reference had been made; but the right hon. Gentleman's objection seemed somewhat disrespectful to his colleague the Secretary for the Colonies (Mr. Labouchere), by whom the Board had been established. He (Mr. Horsfall) thought no answer had been given to the case he had submitted to the House. It was true they had heard from the right hon. Baronet (Sir James Graham) a long argument in favour of free trade, which might have been very appropriate ten years ago, but which had little bearing upon the present question, as free trade was now a settled fact. The right hon. Baronet claimed for the members of the present Board of Trade the credit of the measures which had been proposed by Mr. Huskisson, Mr. Cardwell, and others of their predecessors in office. Why, with just as much propriety, he (Mr. Horsfall) might, as the successor of Mr. Huskisson in the representation of Liverpool, claim credit for the measures of that right hon. Gentleman. It had been assumed that he wished to place the Board of Trade under the control of a man of business engaged in commerce. Such an idea never entered his mind, but he certainly was of opinion that a gentleman of some commercial experience should be connected with that Board, and he hoped the House would support him in asking for a Committee upon the subject.

Question put, and negatived.

Commons December 11, 1857

SELECT COMMITTEE MOVED. BANK ACTS

MR. HORSFALL

said, he had listened with great interest to the debate, not only with reference to the Indemnity Bill, but also to the Motion before the House, and he was anxious in a few words to state the reasons why he should vote for the reappointment of the Committee. The Committee had recommended their own reappointment, but what was of more importance was, that since the evidence had been taken before that Committee a crisis had occurred in the commercial affairs of the country unparalleled since 1825. He did not wish to submit this question to a Committee with the view of avoiding the responsibility of dealing with it. He had no prejudice either in favour of or against the Act of 1844. He did not agree with his hon. Friend the Member for North Warwickshire (Mr. Spooner) that that Act ought to be abrogated, and 657 that there would be no safety for commerce until it was abrogated; but he thought the Act did require some amendment. He believed there were many supporters of the general principle of the Act who still thought that some material alterations and amendments might be made in it, and the views of such persons were, he conceived, justified by the opinions of the late Sir Robert Peel, which had been quoted by the Chancellor of the Exchequer the other evening, and he had been pleased to hear his right hon. Friend the Member for Oxford University (Mr. Gladstone) say he was prepared to agree to some alteration. In that speech Sir Robert Peel said:— The Bill of 1814 had a triple object. Its first object was that in which I admit it has failed, namely, to prevent, by early and gradual interference, severe and sudden contraction, and the panic and confusion inseparable from it. He (Mr. Horsfall) was one of those who thought that the prevention of panic was the most important feature of the Act, and if the Committee on its

reappointment could devise any means for preventing the recurrence of these panics, they would effect what Sir Robert Peel regarded as one of the principal objects of the measure, but which experience showed that it had failed to accomplish—they would render a great public benefit. He would not detain the House by referring to the other two objects of Sir Robert Peel's Act. Although he held that the Act of 1844 was susceptible of very material improvement, he was not one of those who held that either the crisis of 1847 or the present crisis arose from that Act. He had never been disposed to make the Act of 1819 the scapegoat of the crises of 1825 and 1837. He believed that if the House adopted the most perfect measure that could be devised, they would still be unable by any Bank Act to prevent the periodical recurrence of these crises. He was of opinion that, although the primary cause of these crises might be the export of the national capital, they arose in every instance from overtrading. The hon. Member for Newry (Mr. Griffith) had suggested the other evening that a law should be enacted with the view of preventing reckless trading, and he (Mr. Horsfall) believed that a measure which rendered parties who engaged in such trading amenable to the laws of their country would be attended with great advantage. The hon. Member 658 for Bury (Mr. Philips), in alluding, a day or two ago, to the letter addressed, by the Government to the Bank Directors, said that the effect of that letter had been to revive speculation in produce, and he referred to three articles—wool, cotton, and silk. He (Mr. Horsfall) thought it important that the House should be satisfied that this statement was unfounded. He would beg leave to read a very few lines from the circular of Messrs. Little-dale and Co., the well-known brokers, which was published on the 8th of December. With reference to silk, they said,— We have not any improvement to report during the past month. In China silks the deliveries still continue to diminish, and stocks to increase. Some few sales have been made at a reduction of 1s. 6d. per lb. on all previous quotations. Then, again, as to wool, the circular said,— We are unable to report any improvement during the month, nor does the excessive and universal derangement of money matters permit any indication of our future prospects. The London colonial sales commenced on the 12th ultimo, and terminated on the 4th instant. They comprised about 45,000 bales. Throughout the series the biddings were unusually slow and spiritless, and about 15 per cent is estimated to have been withdrawn. A decline of 2d. to 4d. per lb. on Australian, and 3d. to 5d. per lb. on Cape wools, is reported. There was, therefore, no speculation or improvement in either silks or wool. With regard to cotton, Messrs. Little-dale said,— Cotton declined further after the issue of our last circular, and on the 12th, before the suspension of the Bank Charter Act, middling Orleans was sold at 6¼d., or at a decline of fully 2d. per lb. in one week. The suspension of the Bank Act relieved the market for a few days. Holders who had been the most pressing sellers withdrew their cotton; some regularity of prices was again established, and an advance of 1d. per lb. from the low sales previously made was obtained. However, the cheerful feeling soon subsided; the hope of a permanent improvement in financial matters gave way to fresh gloom; failures increased, holders of produce had greater difficulty than ever to obtain discounts, prices declined again, and on the 26th of November middling Orleans was sold at 6d. He thought, therefore, the hon. Gentleman was not quite justified in his condemnation of the effect of the letter which Her Majesty's, Government deemed it their duty to issue. He (Mr. Horsfall) considered that the Government were entitled to commendation for having issued that letter, and he spoke from his own personal knowledge when he said 659 that if it had been delayed for four and twenty hours the consequences would have been most disastrous. As the representative of a commercial community he begged to thank Her Majesty's Government for having issued that letter, and it must be satisfactory to them to know that the measure they had adopted was approved by the noble Member for the City of London (Lord J. Russell), who adopted a similar course in 1847, and if Sir Robert Peel had been living it would undoubtedly have met with the approval of that statesman. He (Mr. Horsfall) might also venture to quote on this subject the opinion of a distinguished man—the late Mr. Huskisson—which could not fail to carry very great weight. That opinion was expressed before the passing of the Act of 1844, and could therefore have no reference to that measure, but

merely to the general state of our monetary system. Mr. Huskisson said,— It is therefore manifest that, by a possible combination of circumstances, the Bank might be driven to part with its last guinea, not only without having checked the drain, but with the certainty of increasing it in proportion as the amount of their notes was diminished. At such a moment the preservation of the Bank from actual failure, though an important, is but a secondary consideration—that of the country is the first. The possible cases, however, which may call for such an intervention of power are not capable of being foreseen or defined by law. The necessity may not occur again; if it should the application of the remedy must be left to those who may then be at the head of affairs, subject to their own responsibility and to the judgment of Parliament. He (Mr. Horsfall) would merely express his conviction that the course recently pursued by the Government had met with unanimous approval on the part of the commercial population of the kingdom.

Commons March 19, 1858

QUESTION. ASSIMILATION OF THE ENGLISH AND COLONIAL LAW.

MR. HORSFALL

said, he would beg to ask the Secretary for the Colonies whether, seeing the great inconvenience which arises from the existence of Dutch, Spanish, and French Laws in various of our Colonial Possessions, the time has not arrived when the attempt may be made to assimilate the Laws of our Colonies to those of the Mother Country?

Commons April 15, 1858

TRIBUNALS OF COMMERCE.

MR. HORSFALL

said, he wished to express his thanks to the hon. and learned Member for the Tower Hamlets, for the able manner in which he had brought this subject under the notice of the House. Although he was not himself very sanguine as to the results likely to accrue from the proposed inquiry, yet many of those whom he had the honour to represent took a different view, and he was glad therefore that the Solicitor General had assented to an investigation. The establishment of Tribunals of Commerce looked very well in theory, but he was afraid that it would assume a different aspect in practice. Nobody had yet ventured to answer the question of the Solicitor General, as to whether those who were to sit in the tribunals should be paid or unpaid Judges—a point of much difficulty, which would not be easily settled. The hon. and gallant Member for Aberdeen (Colonel Sykes) had produced a Report from Calcutta, as proving the necessity of Tribunals of Commerce, and had mentioned a case involving the question whether the stock corresponded with the sample. The case, according to the hon. and gallant Member, was speedily decided by being referred to a Tribunal of Commerce; but it would not be difficult to prove that? it might have been as expeditiously settled without the existence of such a tribunal. In all commercial communities in England, when a question arose which it was important should be speedily decided, the practice was to refer it to arbitration; and if the case mentioned by the hon. and gallant Member had been so referred, it would have been as quickly disposed of as by a Tribunal of Commerce. Liverpool had been referred to as having only two courts

held in the course of the year where cases could be adjudicated upon, and allusion had been made to the Court of Passage. Now, there were four sittings of that court in the course of the year, in addition to two assize courts, so that in Liverpool justice was as speedily administered in commercial cases, as it possibly could be in courts of law. In conclusion, he was of opinion that if the County Courts were improved, and if their powers were extended, the mercantile community could do very well without Tribunals of Commerce.

Commons May 18, 1858

SECOND READING. WEIGHTS AND MEASURES BILL.

MR. HORSFALL

said, he rose to move as an Amendment that the Bill be read, a second time that day six months. He agreed with the hon. Mover that it was quite desirable to have uniformity in weights and measures, but he objected to the mode in which that object was proposed to be obtained. The Bill proposed to make it compulsory that all descriptions of grain and fruit should be sold by measure. Now, in most of the large towns of England, and in all the towns of Ireland, wheat was sold by weight. The effect, therefore, of passing such a measure as this would be to introduce a perfect revolution. He had been in hopes that the hon. Gentleman, when he brought in the Bill, would have stated some satisfactory reasons why so important a change should be made. He had failed to do so, however, and he presumed, therefore, they must judge of the arguments in support of the Bill by a paper which had been very generally circulated, and a copy of which he (Mr. Horsfall) then held in his hand, entitled, "Weights and Measures and Sale of Corn: Reasons in favour of the Bill." Now, in those "Reasons" he found some very extraordinary statements. One of these was, that the inspectors of weights and measures, although they were authorised to inspect weights and measures in shops, were not authorised to do so in the public streets, But no grain was sold in 914 the public streets; at least he had never heard that it was in any town in England. Further, they were told that it was clear no person could effectually protect himself against fraud in the purchase of corn without having both weight and measure. All he could say, however, was that in most of the large towns grain was sold by weight; and after communicating with his constituents he had been informed that there had never been an instance of fraud known in Liverpool, where corn was sold by weight. It could not be said, then, that there was very much in that argument. Again, one of the "Reasons" stated that the articles which were sold by weight were almost invariably adulterated. Well, he had never heard of corn being adulterated, and, upon inquiry among those who were interested in the trade, he was assured that there was not an instance of the sort on record. But the main reliance of the promoters of the Bill was placed on a return which had been ordered by the House upon the Motion of the hon. Member for Derby (Mr. Bass). Now, he confessed he felt somewhat staggered upon looking at that return; but, recollecting that it came from his old Friends at the Board of Trade, he entertained some little distrust; and placing it in the hands of those whom he deemed to be competent to analyse it, he found that it was a purely fictitious statement—a complete fallacy. It stated, for instance, that at Bristol, Gloucester, Leeds, Macclesfield, Hull, and Newcastle, all important market towns, grain was sold by the imperial measure; whereas the fact was that in every one of them grain was sold by weight. He left the House, then, to say what reliance ought to be placed upon such a return as that. Yet this very return was one of the grounds upon which the House was invited to pass this Bill. The only semblance of an argument that could be urged in behalf of the measure was that the import duties were levied by measure; but this had not been put forward by the promoters of the Bill. If he

were called upon to suggest any uniform system, he would recommend that, instead of making it imperative to sell by measure, it should be made imperative to sell by weight. But it was not his province then to propose a plan, but rather to point out the objections to that which was contained in the Bill, and having done this, he begged to move that the Bill be read a second time that day six months.

Amendment proposed, to leave out the 915 word "now," and at the end of the Question to add the words "upon this day six months."

Question proposed, "That the word 'now' stand part of the Question."

Commons June 3, 1858

SUPPLY—CIVIL SERVICE ESTIMATES. £46,075, LAW CHARGES.

MR. HORSFALL

said, he did not mean to object to the Vote, but certainly thought that the expense of the Metropolitan police courts ought not to be borne by the country generally. Other large towns defrayed these expenses themselves, and the general feeling was that London ought to do the same.

Commons June 4, 1858

CAPTAIN JUDKINS.—THE SLAVE TRADE.—COMMISSIONER QUESTIONS. THE DEANERY OF YORK.

MR. HORSFALL

said, he wished to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government has received any intelligence from New York of the arrest of Captain Judkins, of the Royal mail steamer Persia; and, if so, whether the circumstances of the case warranted such a procedure on the part of the American authorities?

Commons June 11, 1858

OBSERVATIONS. THE CASE OF CAPTAIN JUDKINS.

MR. HORSFALL

said, he rose to call the attention of the House to the arrest of Captain Judkins, of the Royal Mail Steamer Persia, in New York, on the 16th of May last. He had no intention to raise any unfriendly feeling between this country and America; on the contrary, it afforded him the greatest pleasure to know that in the recent arbitrary proceedings taken against him Captain Judkins had been supported by the press of New York and by the public feeling of that city. He would have been content to leave

the question to be disposed of in America if it had not been one of considerable importance to the shipping interests of this country; but when he stated that Captain Judkins, though liberated on bail, was obliged to return to America to undergo a troublesome and expensive trial, he thought the House would naturally feel inclined to ask of what crime he had been guilty. The facts of the case which had been communicated to him not only by Captain Judkins himself, and by Mr. Cunard, the agent for the line of steamers to which the *Persia* belonged, but by an American authority also, might be briefly stated. The *Persia*, when under quarantine at New York, was boarded by a health officer, who discovered a case of smallpox in the ship, and who ordered Captain Judkins to lie to for some hours and allow no one to leave the vessel. A custom-house officer who was on board in his official capacity, desired to go ashore; but Captain Judkins, in obedience to the order of the health officer, which he was bound to obey, refused to permit him, and the custom-house officer remained on board until the *Persia* was discharged from quarantine and went up to the city. No sooner had Captain Judkins landed than he was arrested on the ground of having detained an officer of the customs on board his ship. Mr. Cunard, who was in America at the time, remonstrated against those proceedings, and, finding his remonstrance's unavailing, he addressed a letter on the subject to the Mayor of New York. The Mayor forwarded that communication to the officer of health, who confirmed the statement of Mr. Cunard as to the facts of the case, and added that Captain Judkins had acted in strict conformity with the health laws of the port, and could not have done otherwise without incurring very serious consequences. The Mayor sent to Mr. Cunard a copy of the communication he had received from the officer of health, and, on his own part, stated that, had Captain Judkins acted in a different manner he would have subjected himself to punishment by fine or imprisonment, or both, as would be evident from an extract which he enclosed from the health laws of the State. It appeared that the whole difficulty arose from the fact that the laws of the State of New York were entirely at variance with those of the United States; so that it was utterly impossible for a person to observe the one code without infringing the other. Captain Judkins, therefore, was placed in this unfortunate position, that in consequence of having observed the laws of the State of New York he had been subjected to arrest, and, though allowed to come home with his vessel on bail, he had now to return to New York to undergo a very expensive and troublesome process. He submitted that that was not a position in which a British subject should be placed. If there was a difference between the laws of the United States and those of New York do not let Captain Judkins be the victim. He ventured, therefore, to ask for the friendly interference of the Government—for he believed it required nothing but a remonstrance on their part, not only to have the unjustifiable proceedings against Captain Judkins entirely quashed, but—what was his principal object—to prevent the occurrence of any similar case in future.

Commons June 18, 1858

QUESTION. THE CHINESE EXPEDITION.

MR. HORSFALL

said, he wished to ask the Under Secretary of State for Foreign Affairs, whether there is any truth in the reports which appear in the French Papers of an arrangement restricting the discretionary powers of the Plenipotentiaries in China, and ordering them to negotiate at Canton, Peking, or elsewhere?

Commons June 23, 1858

REGISTRATION OF PARTNERSHIPS BILL.

MR. HORSFALL

said, he would appeal to the noble Lord to adopt the suggestion made to him, and not to press the second reading of this measure. He was himself prepared to affirm the principle of the Bill, but could not accept its details without amendment. He denied that the Chambers of Commerce, in approving this Bill, had acted under the influence of the registrars; in fact, he knew that several of them had objected to many of its provisions.

Commons February 15, 1859

2 speeches — SECOND READING MERSEY DOCKS AND HARBOUR BILL.

MR. HORSFALL

said, he would move the second reading of the Mersey Docks and Harbour Bill. He had several petitions numerously signed from the inhabitants of Liverpool in its favour.

MR. HORSFALL

said, he must repudiate the supposition that there had been any breach on the part of the Liverpool Dock Board. It was absolutely necessary that the sum asked for should be spent at once. In five years the steam traffic of the port had doubled, and the timber trade had trebled. The question was, whether there was sufficient to justify the House in going to a second reading at once, and he hoped there was no room for hesitation.

Commons March 1, 1859

2 speeches — SECOND READING. MERSEY DOCKS, LIVERPOOL AND LIVERPOOL CORPORATION PROPERTY RATING BILL.

MR. HORSFALL

said, he rose to move the second reading of this Bill. The select Committee which sat last Session to consider the general question of the rating of public property had stated in their report with reference to the peculiar case of the Liverpool Docks Trust Property, that its exemption from rating depended on the special provisions of a local Act, and on the construction which had been put thereon by the Court of Queen's Bench, independently of the general law upon the subject; and that therefore if there was an injustice in that particular case it should be dealt with by a private Bill.

MR. HORSFALL

, in reply said, that it was an utter fallacy to represent that the Liverpool Corporation had received

£1,500,000 of property from the dock estate; the fact being that the dock estate had received an advantage to the amount of £3,000,000. If the Bill were to be rejected, he did not see how the House could afterwards sanction any general measure for rating similar property.

Question, "That the word 'now' stand part of the Question," put, and negatived. Words added.

Main Question, as amended, put, and agreed to.

Bill put off for six months.

Commons March 1, 1859

MERSEY DOCKS, LIVERPOOL AND LIVERPOOL CORPORATION PROPERTY RATING BILL.

MR. HORSFALL

said, it was generally admitted that gnat distress existed among the shipping interest, and it was natural that the House should be requested to institute an inquiry into the cause of that distress, and, if possible, provide a remedy. The Resolution of the hon. Member for Tynemouth (Mr. Lindsay) was very good so far as it went; but that of the hon. Member for the City of London (Mr. Crawford) was better. It occurred to him, however, whether by striking out the word "certain," and substituting "all," the original Resolution might not be made to meet the views of the hon. Member for Loudon. If this Committee was to be effective, its powers must not be limited, otherwise its decision would be inconclusive 1087 and unsatisfactory. He regretted that an attempt had been made to fix on the shipping interest the imputation of a desire to re-enact the Navigation Laws. He regretted that some unintentional currency had been given to this idea by some comments by a noble Lord in "another place" as well as by an hon. Member in that House upon a letter written by the Foreign Secretary; but all that letter stated was, that the apprehensions entertained by many persons of the probable effects of the abolition of the Navigation Laws had been realized, and that the efforts made by the Government to obtain for the shipping interest that reciprocity which they were entitled to expect had hitherto been unavailing. But, after all, what was the fact? An hon. Gentleman who had made those comments also held the doctrine that reciprocity existed and was general. There was, he said, it was true, France—an exception. But France had been shown to be a nation of some importance in her commercial transactions. Yet we had no reciprocity there. He said, moreover, "True also, there is Spain; but the trade with Spain is very unimportant." At the very moment the hon. Gentleman made this assertion there were no less than seven vessels, Spanish vessels, at Liverpool entered outwards for Cuba, and one for Manilla, and not one English vessel had ventured to compete with them. If the hon. Gentleman had the statistics of the tonnage engaged in the trade with Spain in his hand, he would not repeat his assertion that the trade with that country was small. There was no reciprocity there. Nor was there that reciprocity with America to which we were entitled. As much as 200,000 tons of shipping were engaged in the trade between New York and California, and in that trade British shipping could not participate. Was that reciprocity? It was stated by the President of the Board of Trade, when he introduced the Bill of 1849, that to maintain that a voyage from Malta to London was to be held part of a Colonial trade, while a voyage from California to New York was to be held part of a coasting trade, was a proposition so preposterous and unjust that it was not to be supposed that the United States would persist in a policy so contrary to the dictates of common sense and of justice. The United States had, however, persisted in that policy. Then, with regard to Holland, Belgium, and the other countries mentioned by the hon. Member for Northumberland (Mr.

1088 Liddell) he believed that the British shipowners, notwithstanding the efforts made by the late, and doubtless also by the present Government to obtain perfect reciprocity, had a right to complain of the want of success. He agreed with the hon. Member for the City of London that the maximum of £15 a ton in Lord Campbell's Act ought to have been a minimum; and this Act, notwithstanding the benevolent object with which it was framed, was oppressive and unjust to the Merchant Shipping. There was another portion of that Bill, the Merchant Shipping Act of 1854, which was also highly injurious to the shipping interest; and that was in the constitution of the tribunal of investigation in case of wreck. The merchant captains complained that by that Act their professional character and means of livelihood were placed at the mercy of a tribunal who were incompetent, from their ignorance of nautical matters, to judge them, and they therefore claimed to be tried by a tribunal composed of officers of their own class, and not by persons sent by the Board of Trade for that purpose. He was convinced that the hon. Member for Tynemouth overstated the number of apprentices when he set them down at 40,000. He had the return to which the hon. Gentleman referred, and he found that in 1836, when the law obliged the shipowners to maintain apprentices in proportion to the tonnage of the ships, the number of apprentices was 11,298, and the number greatly increased until 1849, the year of the Repeal of the Navigation Laws, when the number amounted to 31,636; and in 1852, after the Repeal, the number was only 11,105. This, he was happy to say, was the lowest point to which the number descended, and in last year it was 23,831. He was not without hopes that it would go on increasing until it bore a proper proportion to the number of seamen. While on this part of the subject he would allude to the valuable Report of the Commission on Manning the Navy. A Report more beneficial to the Merchant Service was never submitted to that House. He thought the recommendation with respect to the encouragement of the hulk system for training boys extremely useful. So far from the Commissioners having under-estimated the expense of the system, he believed that from some trifling mistake they had rather over-estimated it. In the Report, the Ackbar, at Liverpool, was referred to, and the expense per annum for each boy was put down at from £24 to £25. In 1089 that establishment there were 140 boys, and the expense was only £18 per annum for each boy, and it was hoped that when the number reached 200 the expense would be reduced to £15 per annum. Another portion of the Report pointed out the difficulties under which the Merchant Service was placed in the emergency of war. The first, the power of laying an embargo so as to prevent any ship from proceeding to sea; that was a great grievance. The next referred to was the power of the Government to offer a bounty, that he (Mr. Horsfall) thought was a perfectly legitimate course; if the Government offered £5, the Merchant Service could offer £10. The third was as to the power of impressment. The impressment system was still the law of the land. The Government had the power to put in force the old press-gang system if they should think it necessary to resort to it. That was a power to which the people of this country would never again submit, and the merchant service was indebted to the Commission for calling the attention of the House to so important a subject. Another ground of complaint was the power residing in the commander of any of Her Majesty's ships at sea to take seamen from any merchant vessel. Although that power was exercised with great discretion, it was still one to which the merchant service ought not to be subject. He disclaimed all desire to see the Navigation Laws re-enacted; and he was quite sure those whom he represented never dreamt of such a thing. The Liverpool Shipowners' Association, in their petition to that House, stated distinctly that they did not ask for a retrogressive policy as respected the Navigation Laws. They asked that the progress of British shipping under the existing laws might not be impeded—that it might not remain at a disadvantage in competing with the shipping of foreign nations—and they asked for practical remedies for obvious or ascertained grievances. That was the prayer of the Liverpool shipowners, who might be taken as fairly representing the views and feelings of the shipowners throughout the country. He would only say, which he did with great sincerity, that so far as his own individual opinion went, nothing was further from his thoughts than a desire to see the Legislature return to

the Navigation Laws, or to put in operation what were called the "retaliatory clauses" of the existing law. But he nevertheless thought it was the duty of the House to institute a 1090 rigid inquiry into the grievances of the shipowners, through a Committee, with the view to the speedy removal of all unnecessary restrictions, and if that should be the result, he was convinced the shipping of this country would be able to compete with that of any other nation in the world.

Commons April 5, 1859

PAPERS MOVED FOR. MAIL SERVICE (GALWAY AND AMERICA.)

MR. HORSFALL

said, he rose to call attention to the subject of the intended mail service between Galway and America, and to move for a copy of all correspondence connected therewith. He had no hostility to the proposed communication between Galway and America, nor was he influenced by any Liverpool feeling, because he knew that influential memorials in favour of the Galway line had been forwarded from the town which he had the honour to represent, and also from Manchester. But, as a general rule, he objected to all subsidies, and thought the postal service of the country might be efficiently performed without them. The fact that the contract with the Galway line had been entered into privately had given great umbrage to many persons, and, for his own part, he believed that the country would have gained by an open competition. So far back as October last, a rumour prevailed that it was the intention of the Government to grant a subsidy to the Galway line of steamers for carrying the mail between Galway and America. A company in Liverpool immediately wrote to the Treasury to inquire whether such was the case, and he rested the whole of his complaint upon the answer which they received. They were informed, in reply to their communication, that when a new postal service was about to be established by the Government it was the practice of the Treasury to invite tenders by public advertisement, thereby affording to all parties an opportunity of competing. Now, he thought that the Liverpool, Philadelphia, and New York Company to whom this answer was addressed, had some reason to complain that after such an assurance a contract should be entered into privately with the Galway line; and he hoped, at all events, that the Government would be able to give some satisfactory explanation upon the point. He would repeat that he had not the slightest hostility against the Galway line; on the contrary, he rejoiced when he saw it established

Commons July 7, 1859

COMMITTEE MOVED FOR. PACKET CONTRACTS.

MR. HORSFALL

said, he should not have taken part in this discussion had not the right hon. Member for Kilmarnock laid it to his charge that he had not stood up for his friends, and he only rose for the purpose of showing that the taunt was entirely without foundation. He was afraid the right hon. Member had not been so attentive as he ought to his Parliamentary duties, or he would have remembered that he (Mr. Horsfall) was the first to bring this subject before the House. Hon. Members had on that occasion talked about his being jealous of the interests of Ireland, but he said that he looked upon this as a national question, at the same time that he thought great injustice had been done to his

friends in Liverpool. He (Mr. Horsfall) stated the very opinions to which the hon. Member had just given utterance. He read the letter from Sir Charles Trevelyan which the right hon. Member had read; but, feeling this to be a national question, he was quite content to leave the whole question in the hands of Parliament. He approved of the Committee, and had no doubt that the Committee would come to a just decision not only with regard to the Galway line, but with regard to every other line which would be submitted to their discussion.

Commons July 12, 1859

NOMINATION OF COMMITTEE. PACKET AND TELEGRAPHIC CONTRACTS COMMITTEE.

MR. HORSFALL

quite concurred that it was undesirable the Members for Liverpool or for Galway should be on the Committee, although if placed on it himself he should have endeavoured to do his duty; and he might observe that if he had any bias in the matter it was in favour of Ireland. He was anxious to bear his testimony to the great importance of the right hon. Gentleman the Vice-President of the Board of Trade (Mr. Wilson) being on the Committee, as that right hon. Gentleman was better acquainted with matters of this kind than any other Gentleman, and he hoped therefore his name would be retained.

Commons July 14, 1859

THE BUDGET.—QUESTION.

MR. HORSFALL

said, he rose to ask whether the Chancellor of the Exchequer can now fix the day upon which he will make his financial statement?

Commons July 20, 1859

2 speeches — WEIGHTS AND MEASURES.

MR. HORSFALL

thought that the hon. and learned Member for Southwark had not treated him fairly in moving the second reading of this Bill. The hon. and learned Gentleman had assured him that it was not his intention to move the adoption of the first clause—which would have made the Bill a mere Weights and Measures Bill—and upon that understanding he had told him that he had no objection to the Bill. If the hon. and learned Member was willing to withdraw this clause, he should not object to the other portions; but if the hon. and learned Member persisted in supporting that clause he should feel it his duty to vote for the Amendment.

MR. HORSFALL

said, he had certainly taken a different view of the conversation. His hon. and learned Friend stated that it was not his intention to move the first clause; whereupon he (Mr. Horsfall) observed, "Then it becomes a mere Weights and Measures Bill, to which I have not the slightest objection." If, then, his hon. and learned Friend pressed the first clause he should certainly give his support to the Amendment. If, on the other hand, he consented to strike out the clause he would as cordially give his vote in favour of the remaining portion of the Bill, which he considered to be most essential for the regulation of the weights and measures of the country.

Commons July 21, 1859

FINANCIAL POLICY OF THE LATE GOVERNMENT.—OBSERVATIONS.

MR. HORSFALL

said, he did not intend to oppose the grant of money which the Chancellor of the Exchequer required, be-cause he felt the force of the right hon. Gentleman's appeal to the patriotism of the House; still he thought that a gentleman of his ingenuity and experience could have devised some measure for raising the sum required which would not have pressed so heavily as the extra income tax would do on a certain class of persons in the country. He spoke of those who had to depend on incomes derived from professional sources and others with incomes varying from £150 to £500 per annum. The proposition of the right hon. Gentleman was in effect this: that 6½d. in the pound should be paid for the first six months of this year and 2½d. in the pound on the other six months. Now, he (Mr. Horsfall) should have been glad if the right hon. Gentleman had been satisfied with levying an additional 2d. instead of 4d. It was not for him to name what additional taxes might have been imposed, but he could not help thinking that some might have been laid on which would not have pressed so heavily as the extra income tax. Again, he believed that there might have been made certain reductions in the Estimates, although he felt inclined to make every allowance for the difficulties in which the right hon. Gentleman had found himself surrounded when called so suddenly to office. He hoped that before they met in another Session the right hon. Gentleman would direct his attention to the charges for the Miscellaneous and Civil Services, because he (Mr. Horsfall) believed that there might be a great saving effected if the Customs and Excise departments were united. If that were so, the saving in the expenditure of the country would be immense, and would be a source 221 of satisfaction to the mercantile interests of the country. He most cordially concurred in voting the money for the service of the country which had been asked for by the Chancellor of the Exchequer. Had the amount been double that which was now asked for, the House and the country would support him in granting it for the national defences.

Motion agreed to.

Commons January 31, 1860

COMMITTEE MOVED FOR. MERCHANT SHIPPING.

MR. HORSFALL

said, his hon. Friend would not expect him to agree in all that he had said; in fact, he should have been more satisfied if the hon. Member for the City of London (Mr. Crawford) had brought forward the Motion of which he had given notice, but as that hon. Gentleman and the hon. Member for Sunderland (Mr. Lindsay) had come to an understanding upon the subject, he (Mr. Horsfall) could have no hesitation in seconding the Motion. 348 He agreed with much that had been said by the hon. Member for Sunderland; he thought that there ought to be an entire removal of all unnecessary restrictions upon British shipping. He agreed also in the propriety of the abolition of the Timber Duties. He did not, however, concur with the hon. Gentleman in the observations which had fallen from him in reference to local dues, more particularly the local dues of the town which he (Mr. Horsfall) had the honour to represent. The hon. Member must have forgotten that, in accordance with provisions of a special Act of Parliament, these dues were now appropriated to the benefit of shipping, and not expended for the advantage of the town itself. He also agreed that the efforts made by Her Majesty's Government, if such efforts had been made with a view to the introduction of reciprocity with other nations, it did not seem to have been attended with very beneficial results. He would not follow, however, the hon. Member for Sunderland into the various matters he had brought before the House, though he would add that he entirely concurred with the hon. Member as to the operation of Lord Campbell's Act. There was also another important subject to which he might advert—he meant the operation of our international maritime law—in dealing with which he (Mr. Horsfall) was desirous of impressing the House with the conviction that it was a question most deeply affecting the shipping interest of this country. He was, of course, quite aware that there were political reasons why there was an objection to any interference with that law; but the mode in which it acted ought nevertheless, he thought, to be fully investigated by the proposed Committee, so that such information upon the point might be obtained as would be of use to Parliament in case legislation in regard to it should hereafter be determined upon. It had been too much the custom to consider the shipping question as one solely connected with shipping and manufacturing interests; but it was more than this, it was a question which affected the whole consuming population of the country,—nay, more, it was of the utmost importance when considered in connection with the subject of the national defences; for, if the mercantile marine, which was the nursery of that reserve of 30,000 seamen by which our shores were to be defended, were to continue to suffer under the existing system, the efficiency of the force to which he alluded must be pro- 349 portionately diminished. He should not on that occasion enter further into a subject which had been so often and so fully discussed, but should content himself with expressing a hope that the Committee, if nominated, would do its duty faithfully by inquiring into the various subjects connected with the welfare of British shipping, and be enabled to supply the House with such a report as would enable it to legislate effectively upon a question of such great national importance.

Motion made, and Question proposed,— That a Select Committee be appointed to inquire into the operation of the burdens and restrictions especially affecting Merchant Shipping, and of the following Statutes: 9 & 10 Vict. c. 93, an Act for compensating the families of Persons killed by Accidents; the Merchant Shipping Act (1854); the Merchant Shipping Amendment Act (1855); the Passenger Act (1855); and the Chinese Passenger Act (1855).

Commons February 6, 1860

QUESTION. SCHOOL SHIPS.

MR. HORSFALL

asked the Secretary to the Admiralty, Whether it was the intention of the Government to carry out the recommendation of the Manning Commission, as to placing twelve School Ships at the principal Commercial Ports; and if so, the probable time that will elapse before the scheme may be in operation?

Commons February 10, 1860

CUSTOMS ACTS—COMMITTEE.— THE FINANCIAL STATEMENT.

MR. HORSFALL

said, he would not then venture to express any opinion upon the important proposals which had been brought under the notice of the House by the Chancellor of the Exchequer; but he felt it his duty to urge upon the right hon. Gentleman the propriety of allowing a fortnight for the consideration of the scheme 880 before they were to proceed to its discussion.

Commons February 23, 1860

ADJOURNED DEBATE. SECOND NIGHT. THE COMMERCIAL TREATY WITH FRANCE.—THE BUDGET.

MR. HORSFALL

said, he had never felt greater difficulty in his life than in deciding how he should vote with regard to the Motion before the House. He confessed he would have preferred that the Motion should never have been brought forward, and that they should have gone into Committee upon the Budget at once, and discussed each feature of it upon its own merits. An hon. Gentleman who spoke early in the debate on the other side of the House, had taunted the hon. Gentleman who brought forward this 1599 Motion, because he said that he had adopted free-trade principles in deference to public opinion. He (Mr. Horsfall) thought that was an unfortunate observation, because at this moment those who were attempting to establish free trade in France knew that the Emperor was bowing to public opinion. It had become the policy of this country. It was therefore evidently the policy of this country to encourage free trade not only in France, but in every nation on the Continent. He would make but a single observation with reference to coal. He thought the hon. Member for Leeds (Mr. Baines) rather misrepresented what fell from the hon. Member for Buckingham (Mr. Hubbard). He did not take exception to the export altogether of coal, but merely stated that we ought not to prohibit ourselves from imposing a duty on it. He was quite aware that there were those who thought we ought to take power to prevent the export of coal in times of war. He (Mr. Horsfall) did not concur in that. He was not afraid of the mischiefs which some people thought would flow from an unlimited export of coal, for it was well known that coal could be procured in Belgium, Prussia, and in France itself; and although that coal was not so suitable as British coal for steaming purposes,

although it might be procured at an additional cost, yet it would be used at any cost and under any difficulty, and would be found most effective for all practical purposes in case of war. He chiefly found fault with the Treaty on the ground that no reference whatever was made to the shipping of this country. He regretted that the hon. Member for Sunderland (Mr. W. S. Lindsay) had withdrawn his Motion upon that subject. Hon. Members, he was sure, had no conception of the extent of the foreign trade with Prance. For instance, in the year 1856–57 there were 415,000 bales of cotton exported from the United States to France; in 1857–58, 383,333 bales; in 1858–59, 440,000 bales; and in the year 1859–60, so far as it had gone, it would average above 500,000 bales, requiring, as the House might suppose, a very large amount of shipping. In confirmation of this, he found from the New York Cotton Circular that recent exports to Prance showed an excess over last year, and that a further considerable increase would soon be apparent, as there were on the 1st of the present month loading in the Southern ports 54 vessels against 13 1600 last year. If this trade were carried on in French vessels, he could understand the indisposition of Prance to negotiate; but what was the fact? In an official document issued by the French Government during the last few days, the admission was to be found that nine-tenths of the shipping engaged in the trade between the United States and France, was American shipping. Why, then, should France hesitate to give the shipping of this country an equality with the shipping of the United States? Our vessels were now debarred by the differential duty. He was aware that there was great difference of opinion as to the operation of the 3rd Article of the Treaty, but the Treaty itself maintained the differential duties now in force, which made a difference in the article of cotton imported into France, for example, between American and English vessels of not less than a half-penny per lb., being as much as the whole freight. It was impossible for English vessels to compete with American under such circumstances. He should have liked to see in the correspondence which had been published relative to the Treaty some evidence that the representatives of Her Majesty's Government at Paris had made an effort to accomplish something for the shipping interest. He felt bound, however, to say, and it would be satisfactory to the shipping interest to know, that the noble Lord (Lord J. Russell) had been good enough to tell a deputation who had waited upon him that negotiations were going on with the French Government with a view to give relief to British shipping, which the noble Lord hoped would be attended with success. To show how these differential duties pressed upon the English shipowner, he would read a letter from an English captain who was at Mauritius with his ship. The writer said:— I am sorry to say I have no chance of any employment here. Freights are low, and only three or four ships loading for London. The James Livesey is one of them, and taking cargo at 17s. 6d. and 12s. 6d. The bulk of the sugar is shipping to France, and French vessels command as freight £3 10s. I have not decided yet where to go, but I suppose it must be back to Calcutta again. Now, the Mauritius was an English colony, and this was an instance of the disadvantage under which English shipping at present laboured. He wished now to say a few words upon the proposed spirit duties. In the correspondence between the 1601 Secretary of State for Foreign Affairs and our Plenipotentiaries at Paris the noble Lord said that "the lowest point to which for any British purpose Her Majesty's Government could propose to reduce the duty on brandy is 10s. per gallon." The noble Lord, however, gave them authority, if they saw that any adequate advantage could thereby be gained, to reduce the duty, to 8s. 2d. As they had agreed to the lower rate of duty, he presumed there must have been some adequate advantage offered. He wished, however, that it had been pointed out in the correspondence, for the difference between 8s. 2d. and 10s. would have made a material item in the revenue. The reduction of the duty on brandy from 15s. to 8s. 2d. involved a loss of £256,000. Now, an increase of duty on colonial spirits at 1s. 10d. would give £314,195; an increase of 2s. per gallon on British would give £2,321,261, and on brandy at 1s. 10d., assuming no increase of consumption, there would be a gain of £101,576. The equalization of the duties at 10s. would altogether give an increase to the revenue of £2,737,032. If, therefore, the noble Lord's suggestion of 10s. per gallon on French brandy had been carried out, and the duty upon colonial and home-

made spirits had maintained the same proportion, the Government might have made a deduction of 2d. in the pound in the proposed income tax. He had always been, both publicly and privately, favourable to the repeal of the paper duty, but he should have been disposed to look for a surplus revenue before he proposed that abolition. He should be sorry if the paper duty were not soon taken off, but if its abolition had been deferred for a short time there would have been another £1,000,000 at the disposal of the Chancellor of the Exchequer, who might then have proposed an income tax of 7d. instead of 10d. Such a proposition would, he believed, have received the assent of the country. The Chancellor of the Exchequer expected to gain £300,000 a year by his registration fee of 1d. per package on all goods exported and imported. Now, he had had access to documents and information which led him to a conclusion—and he believed it would be found correct—that the Chancellor of the Exchequer had greatly underestimated the revenue which this 1d. tax would produce. In the year 1858, a very depressed year for commerce, this small tax, instead of £300,000, would have produced £829,976. 1602 He had no doubt that in the present year, if trade were prosperous, this tax would realize above £1,000,000. He did not think this a fair tax, and he was assured that it would press most unequally and unjustly. One of his constituents wrote to tell him that a 1d. tax upon the cargo of one of his vessels would cost him £133. A soap boiler assured him that it would amount to a tax of £600 a year upon his trade. A gunpowder manufacturer stated that the tax would cost him £1,500 a year, while parties dealing in silk and other articles of great value would not pay, perhaps, more than £50. The tax was therefore unjust in principle. Here again, however, it gave him great pleasure to say that the Chancellor of the Exchequer had received all the representations which he and others had made to him with the greatest courtesy and candour, and he had assured the parties interested that he desired to distribute the incidence of taxation in the most equitable manner. He trusted that when the clause came under discussion in Committee, hon. Members would be prepared to give a fair consideration to this tax. With regard to the Motion before the House, he regretted that he could not support it, notwithstanding the statements he had just made. If the hon. Gentleman (Mr. Du Cane) had confined his Resolution to the words—"That this House is not prepared to disappoint the just expectation of the country by largely increasing the income tax," he should have felt it his duty to vote for it; but he could not vote for a Resolution which would neutralize the proposal of the Chancellor of the Exchequer to sweep from the operation of the tariff so large a list of articles. Notwithstanding the predictions they had heard to-night, he felt convinced that the removal of these duties would give an impetus to trade, and conduce materially to the prosperity of the country.

Commons February 24, 1860

ADJOURNED DEBATE.—THIRD NIGHT. THE COMMERCIAL TREATY WITH FRANCE.—THE BUDGET.

MR. HORSFALL

I gave no opinion as to the 3rd Article, I only said there existed considerable difference of opinion as to the interpretation of it.

Commons March 2, 1860

CUSTOMS ACTS.—COMMITTEE.

MR. HORSFALL

said, the hon. Member, in reducing the scale proposed by the Amendment from 10s. to 9s., had followed in the steps of the negotiators at Paris, whose conduct in this particular he condemned. The rate if fixed at 10s. would have tended towards an equalization of the spirit duties, which would yield an additional revenue of £2,000,000 to the Exchequer, without, he believed, any proportionate danger from smuggling. He should like to know the reason that had induced the negotiators at Paris to deviate from the instructions originally given to them on this subject.

Commons March 8, 1860

QUESTION . CUSTOMS RESOLUTIONS.

MR. HORSFALL

said, he wished to ask Mr. Chancellor of the Exchequer, Whether he intends to propose for the acceptance of the House, Nos. 11, 12, and 13 in the Customs Resolutions, and Nos. 1, 2, and 8 of the Ways and Means Resolutions; and, if so, whether he is prepared to state with what modifications he intends to propose them?

Commons March 14, 1860

RELIGIOUS WORSHIP BILL.—SECOND READING.

MR. HORSFALL

said, that he had listened with regret to what had fallen from the right hon. Gentleman the Member for the University of Cambridge as to there being no disinclination on the part of the rectors and incumbents of parishes to admit other clergymen to assist in the performance of the duties which they were called upon to discharge. He did not feel at all satisfied that that statement was correct. He might, for instance, mention the case of the clergyman of a large parish who had gone into the reading-desk in an unbecoming state, as a consequence of which a large majority of the congregation had left the church. A representation on the subject had subsequently been made to the Bishop of the diocese, and a commission had been issued to inquire into the conduct of the clergyman, before which medical evidence had been adduced. The medical man said that the symptoms which had been seen in the reading-desk might have been occasioned by illness; the commissioners gave the incumbent the benefit of the doubt; but the people were convinced that they had come to a wrong decision; their feelings would not allow them to go to the church again; there was not another within four or five miles, and what were they to do? Were they to establish a Nonconformist place of worship, or must they go to the church where the reading-desk and pulpit were so much disgraced by the conduct they had seen? The right hon. Gentleman had said that if this Bill passed, it would compel the clergy to break one of the canons of the Church; but he would

like to ask the right hon. Gentleman whether the clergy obeyed the whole canons of the Church? He knew that they did not, nor would it be any difficult matter to point out what those canons were. The Chancellor of the Exchequer had put the case of disreputable clergymen being introduced into a diocese. That was somewhat of a slur upon the Church of England as well as on those who were anxious for the success of this Bill. There was no disposition on the part of the supporters of this measure to introduce any but good clergymen who would faithfully and honestly discharge their duty. They were told the Bill struck at the root of the parochial system. That, however, was not the fact. It might be opposed to the spirit of the ultra-parochialism of the present day, but that was quite different from the parochial system. However admirable the parochial system was when first adopted, times and circumstances had now entirely changed. What were then mere hamlets had now become large and populous places, and they required in many cases now ecclesiastical arrangements. If the rector refused to admit other clergymen into his parish—and he knew of such cases—what was to be done? Was he to prevent the poor being provided for? The late Sir R. Peel was one of the first to amend the parochial system. He introduced a Bill the effect of which was to subdivide parishes, so that a clergyman could be introduced into a large parish and have a district allotted to him without a church. The Marquess of Blandford further extended this, and pew-rents were allotted towards the payment of the clergyman's stipend. This Bill would have the effect of making the parochial system more efficient than at present, and he hoped his hon. Friend would not be induced to withdraw it. There were two sections in the Church of England—High and Low Church. A parishioner might conscientiously differ from either one or the other; and was he to be debarred from having a chaplain in his own house, who would preach in accordance with the principles he believed to be the purest? He hoped the House would agree to the second reading of the Bill, and that in Committee the objections which had been urged by right hon. Gentlemen would be obviated. Sure he was, by adopting some such measure as this, the advocates of the Church would take a very long step towards retaining the affections of the people of England.

Commons March 23, 1860

QUESTION. CHANCERY EVIDENCE COMMISSION.

MR. HORSFALL

said, he wished to ask Mr. Attorney General when the Report of the Chancery Evidence Commission is likely to be presented to the House; and whether the Government intends to introduce any measure this Session to carry out the suggestions of the Commission?

Commons March 29, 1860

ADDRESS MOVED. DIFFERENTIAL DUTIES—(FRANCE).

MR. HORSFALL

, in seconding the Motion, expressed his conviction that the greatest good would be produced by the fact of its receiving the unanimous support of the House and the Government.

Commons March 29, 1860

PAWNBROKERS ACT AMENDMENT BILL.—SECOND READING.

Order for Second Reading read.

MR. HORSFALL moved the second reading of this Bill, the object of which he explained to be to enable pawnbrokers to charge the sum of one halfpenny for every duplicate issued on a pledge under the sum of 5s.

Motion made, and Question proposed, "That the Bill be now read a second time."

Commons April 2, 1860

CUSTOMS ACTS.—COMMITTEE.

MR. HORSFALL

said, the question was not whether they would have any of these small taxes, but what was the best form in which they could be levied. He accepted the proposition of the Chancellor of the Exchequer as a compromise, and not because he agreed with its principle. The Chancellor of the Exchequer, he was bound to say, had most courteously received every representation that had been made to him. He (Mr. Horsfall) had himself introduced a deputation which had proposed a tax on both outward and inward bills of lading, but that was found objectionable, and therefore the Chancellor of the Exchequer proposed the present tax, which he (Mr. Horsfall) was prepared to accept as a compromise. Nevertheless he should like to hear from the right hon. Gentleman that he was willing to abandon the, tax altogether. If passed this Session, he had no doubt that a tax of that kind could not be of long continuance. With regard to the over valuing of goods sent from Liverpool, he was at a loss to assign any reason for so doing; but there was sometimes carelessness on the part of the Custom-house clerks, and they were sometimes obliged to guess at the value, owing to the invoices not having come forward at the time of shipment.

Commons April 27, 1860

THE RATE-PAYING RETURNS.—THE REFORM BILL.—QUESTION.

MR. HORSFALL

said, that his information as to the operation of the noble Lord's Bill in Liverpool differed very much from that of his hon. Colleague. His hon. Friend stated that the whole constituency of Liverpool under the new Bill would not exceed 20,000. Now, the constituency at present numbered 18,700, and, adding the 3,000 or 4,000 new voters admitted by his hon. Friend to be enfranchised, the number, on his hon. Friend's own showing, would be more than 23,000. He estimated, on the contrary, that the whole number, with the additions under the present Bill, would exceed 30,000. The value of houses in Liverpool was such that the suffrage under the Bill would be really and truly a

household suffrage.

Commons July 12, 1860

COMMITTEE. BANKRUPTCY AND INSOLVENCY BILL.

MR. HORSFALL

opposed the Amendment. The commercial community were quite agreed on the propriety of the proposed change.

Commons July 12, 1860

QUESTION. THE GALWAY CONTRACT.

MR. HORSFALL

said, he would also beg to ask Mr. Chancellor of the Exchequer whether a pledge was given by the Treasury to Mr. Inman, as the representative of the Liverpool and Philadelphia Steam Ship Company, that no transfer of the Galway Contract should take place without affording him the opportunity of showing cause why such Contract should not be transferred; and, if so, whether it is true that the Contract has been transferred without affording Mr. Inman the opportunity which had been promised. And whether the statement with regard to the Mails contained in the following advertisement, published on Monday last, has been authorized by Her Majesty's Government:— The Galway Contract having been transferred to the Montreal Ocean Steam Ship Company, the North Briton, which sails on Wednesday, will call at Galway for the Newfoundland, United States, and Canadian Mails.

Commons February 18, 1861

QUESTION. BELLIGERENT RIGHTS AT SEA.

MR. HORSFALL

said, he wished to ask the noble Lord, the Secretary of State for Foreign Affairs, Whether any steps have been taken by Her Majesty's Government with the view of carrying out the recommendations of the Shipping Committee of last year on the subject of Belligerent Rights at Sea?

Commons April 15, 1861

HARBOURS BILL—SECOND READING.

MR. HORSFALL

, who had given notice of his intention to move that the Bill be read a second time that day six months, said that he would reserve his objections until the Bill went into Committee.

Commons April 16, 1861

OBSERVATIONS. - BELLIGERENT RIGHTS.

MR. HORSFALL

said, that although under ordinary circumstances he should be unwilling to postpone the Resolution, yet, considering that any discussion on this subject in the absence of the two noble Lords must necessarily be imperfect, he could not refuse to assent to the right hon. Baronet's request.

Commons April 25, 1861

ADJOURNED DEBATE. SECOND NIGHT. - WAYS AND MEANS.—COMMITTEE.

MR. HORSFALL

said, that he was reluctant to take any exception to the financial statement of the Chancellor of the Exchequer. He declined to enter into the question as to whether there would or would not be a surplus. He would leave the responsibility of that with the Government. Assuming, however, that there was a surplus, it was a question for the House to decide how to appropriate that surplus, and in considering that question they must look at the general taxation of the country. A distinction must be drawn between ordinary and extraordinary taxation. Ordinary taxation he considered to be taxes which had existed for a long time and had been the acknowledged sources of revenue; while extraordinary taxes were those which were imposed to meet extraordinary exigencies of the country. In the first class he could not but place the paper duties; in the second were the income tax and increased duties upon tea and sugar. It was, in his opinion, only just that the extraordinary taxes should be first removed. He had always been an advocate of the repeal of the paper duty, but he desired that to take place only when there was a surplus from the ordinary taxes of the country. There was one part of the Budget which had been but little commented upon, but upon which he wished to make one remark—upon what the Chancellor of the Exchequer called the minor taxes, but which the commercial community called the most vexatious, annoying taxes that could be devised. It was impossible to conceive the amount of annoyance that had arisen from the penny taxes upon imports. As an instance he might mention that he had received from a constituent of his a large paper of eighteen octavo pages, a return which that gentleman was obliged to make to the Custom House every week, to his very great inconvenience. He agreed with the Chancellor of the Exchequer that it was his duty to act impartially between direct and indirect taxation; but in discharging that

duty he ought to levy those taxes which were least sensibly felt by the people of this country.

Commons May 1, 1861

SECOND READING. - RELIGIOUS WORSHIP BILL.

MR. HORSFALL

said, he thought his hon. Friend had rather misrepresented what had been said by the hon. and learned Gentleman opposite. He thought there was no force in what had fallen from his hon. Friend the noble Lord, the Member for North Leicestershire. He had spoken of the rights of the clergy; but had the laity no rights? He would ask the noble Lord why the laity of the Church of England were to be the only class to be debarred from worshipping God according to their own consciences. He denied that the Bill would affect the parochial system. Since that system was established villages had grown into towns, and, therefore, additional accommodation was needed; that accommodation the Bill would provide, and he hoped the House would not hesitate to send the Bill to a Committee.

Commons May 2, 1861

2 speeches — WAYS AND MEANS—COMMITTEE. - THE IONIAN ISLANDS.

MR. HORSFALL

The Liverpool petition was against the repeal of the paper duty; and prayed that any surplus might be appropriated to the diminution of the tea and sugar duties, or to the reduction of the income tax. I also presented a similar petition from Warrington.

MR. HORSFALL

There are, Sir, in this House hon. Gentlemen who will do me the justice to remember that when a short time ago I took the liberty of offering a few observations on the general principles of the Budget I took occasion to express the deep regret with which I took exception to any portion of the financial statement of the right hon. Gentleman the Chancellor of the Exchequer. I felt that regret from the personal regard and respect which I have hitherto, at least, felt towards him. I felt that regret from the great respect which in common, I think I may say, with the whole House, I feel for the noble Lord at the head of Her Majesty's Government. I should have rejoiced if the Amendment of which I have given notice had been submitted by my hon. Friend the Member for Huntingdon, because, however much hon. Gentlemen 1414 opposite may differ from the conclusions at which he may arrive, I am sure that they will agree—that whenever my hon. Friend addresses the House he is entitled to its respect and attention. Before I proceed to deal with the Resolution before the House, I must make one or two remarks in reference to observations personally addressed to myself by the light hon. Gentleman the Chancellor of the Exchequer, and I will endeavour to answer him in a frank and candid manner, and not in the tone which he has been pleased to adopt towards me. The right hon. Gentleman asked me how many of the petitions which I presented were in support of the Amendment of which I have given notice, and at the same time he made a contemptuous allusion to

those petitions as if they were not "spontaneous" petitions. I can only say for myself that I have never written one line to any individual, or invited a petition in any form or shape on this subject. As to the substance of these petitions—I have presented three this evening, and the main one from Liverpool was, as I stated, in opposition to the repeal of the paper duty, but in favour of applying any surplus to the reduction of the tea or the sugar duties, or of the income tax, as the House in its wisdom might see fit. The other petition from Liverpool was from the East India and China Association, and it was specific—in asking for reduction of the duty on tea to 1s. per lb. The other petition put into my hands was from 900 of the inhabitants of Warrington—a large number for so small a place—praying the House not to repeal the paper duty so long as the oppressive duties upon tea and sugar still remained. I hope I have satisfied the light hon. Gentleman the Chancellor of the Exchequer of the validity of the petitions which I have had the honour to present. I will now proceed to notice the question at issue, and the question my Amendment gives rise to is simply this—"Will the House in July next reimpose 1s. 5d. duty on tea to enable it to remove the duty on paper, or will it reimpose the 1s. duty on tea, retaining the duty on paper?" I think I have put the question fairly before the House. Now, the right hon. Gentleman has told us that there is no war duty upon tea, and I shall notice that in a very few moments. Before doing so, however, I should like to call the attention of the House to the objections with which I am met on the threshold by the Chancellor of the Exchequer—that the 1415 House is pledged by the proceedings of last year to repeal the duty upon paper. I should like to ask the Committee if there is no other pledge which has been given—if no antecedent pledge has been given by the House as to the tea and sugar duties—and given, not be a bare majority of nine, hut by the unanimous assent of the House? And I will not ask the Committee to take my representation of that, hut I will read to them the Resolution adopted by the House on the 31st of May, 1853— Resolved, that in lieu of the duties of Customs now chargeable on tea imported into the United Kingdom, the following duties shall be charged:—To 5th April, 1854, 1s. 10d.; 1855, 1s. 6d., 1856, 1s. 3d.; after, 1s. The House thus unanimously resolved in the year 1853, that on and after the 5th of April, 1856, the duty on tea should be reduced to 1s. per lb. But what followed? Shortly afterwards the Minister of the Crown came down, appealed to the patriotism of the House and of the country, and asked for supplies to carry on the war in which we became engaged; and the House, with a generosity which has since been but ill requited, immediately assented to a proposal for increasing the income tax and the duties on tea and sugar. But did the House, acting upon the advice of the Chancellor of the Exchequer, give no pledge upon that occasion? The right hon. Gentleman now says that these duties are improperly called war duties; but who is it that first called them by that name? I find that the following Resolution was unanimously adopted by the House on the 3rd of March, 1855:— That the further decline of the several duties of Customs made payable on tea from and after the 5th of April, 1855, as provided by the Act 10 & 17 of Vict., c. 106, shall be suspended until the 5th day of April which shall first happen after the end of twelve months from the date of a definite treaty of peace, on which day the said duty shall be reduced to 1s. 3d. per lb, and on the 5th day of April in the year following to 1s. per lb; and that in the interval, in lieu of the said duties provided by the said Act, there shall continue to be charged the duty of 1s. 6d. per lb. That, Sir, was the unanimous Resolution of this House with respect to these war duties. by which it was pledged long before it gave any pledge on the subject of the paper duties. But the right hon. Gentleman the Chancellor of the Exchequer is at variance upon this point with some of his own colleagues, for I find that when, on the 21st of Juno, 1858, the right hon. Gentleman the President of the Board of Trade proposed his Resolution to the ef- 1416 feet, that when a fitting time arrived the Excise duty on paper ought to be abolished, the noble Lord the Foreign Secretary said— The House would recollect that last year the then Chancellor of the Exchequer proposed that the income tax should be kept up at 7d. in the pound, and that instead of 1s. 3d., the duty on tea should be 1s. 5d., and that there should be a. proportionate increase in the duty on sugar. This year they had allowed the income tax to fall from 7d. to 5d. in the pound, but

they had kept up the duty on tea at 1s. 5d., and also retained the proportionate increase in the duty on sugar. It was, therefore, almost a matter of good faith, when next there was a reduction in taxation, that the duties on tea and sugar should be reduced, which were, in fact, war duties; and there could be no greater claim for reduction in taxation than in those articles of consumption which entered so largely into the comforts of the people."—[3 Hansard, cli. 133.] This is no new question. The right hon. Gentleman seemed to speak as if the cry for a diminution of the tea duties was one that is now raised for the first time. I recollect that some fifteen or sixteen years ago a great excitement prevailed throughout the country upon the subject of those duties. Large meetings were held, particularly in Manchester, where they were presided over by the mayor. At that time the reduction of the duty to 1s. per pound was contended for, and some importance was then attached to the matter by the hon. Members for Manchester. A circular was issued from that place, in which the duty on tea was spoken of as exorbitant, disproportionate, unjust, impolitic, and injurious, and in which the following sentence was printed in conspicuous type:— Experience has proved that low duties produce larger revenues. On the flysheet of the circular was an invitation to attend a meeting signed by, among other persons, Thomas Bazley, Chairman of the Manchester Chamber of Commerce; and J. A. Turner, Chairman of the Manchester Commercial Association. Under these circumstances I cannot help expressing a hope that I shall upon this occasion receive the cordial support of both the hon. Members for Manchester. Up to that time our merchants engaged in the trade with China had been placed in a most disadvantageous position; and a Committee of this House, of which the right hon. Gentleman the Secretary for Ireland was a most active member, after having inquired into the nature of our commercial relations with that country, reported that— They think themselves warranted in recommending to the House a considerable reduction in 1417 the duty on tea at the earliest period which in its wisdom it may see fit, as most desirable in itself, with a view to the comforts and the social habits of the people, as involving but a temporary loss to the revenue, and as essential to the extension of our trade with China; nay, even to its maintenance at the point which it has already reached. The Committee then proceed to contrast the duty on tea with the duties on coffee and cocoa, and point out that while the duty on tea was maintained at a high rate, the duty on coffee had been reduced from 1s. to 4d. per pound, and the reduction had been attended with an increased consumption of 500 per cent; and that the duty on cocoa had been reduced from 1s. to 2d. per pound, followed by an increased consumption of 1,000 per cent. These are facts which may convince the Chancellor of the Exchequer of the effect which reduced duties have in increasing the revenue. The Report of that Committee has been entirely confirmed by the fourth Report of the Commissioners of Customs issued last year. It is there stated that in the year 1848, when the duty stood at 2s. 2½d. per pound, the quantity of tea entered for home consumption in the United Kingdom was 48,734,789lbs., which brought in a revenue of £5,329,992, and in the year 1859, when the duty stood at 1s. 5d. per lb., the quantity of tea entered was 76,362,008lbs., which brought in a revenue of £5,408,924. While entering into these details, I must express my regret that the Chancellor of the Exchequer had not the courtesy to remain in the House to listen to any statements I might have to make, after the very pointed and somewhat personal observations which he addressed to me. If he had been here I should have answered the taunt he has flung out with regard to my being the representative of a commercial community. I will now only say upon that subject that I feel proud of representing nearly 500,000 people, and a town the value of the exports from which exceeds the value of the exports from all the rest of the United Kingdom, including the port of London. But I shall proceed to notice, in the absence of the Chancellor of the Exchequer, the observations which he made with respect to the effect my proposal would have on the revenue of the country. I estimate the consumption of tea for the present year at 77,000,000lbs.; and the removal of 5d. per pound of the duty would create an apparent loss to the Exchequer of £1,641,000. But if we allow an increase of one-third in the consumption we should obtain from that source an additional sum of £547,000; and the total net loss to the revenue would then amount to

£1,100,000 for the year. On this calculation the loss upon the year, if the duty were not reduced until the 1st of July, would be £825,000; if it were not reduced until the 1st of October the loss would be £550,000; and if it were not reduced until the 1st of January next the loss would be £275,009. But if it be considered that one-third is too much to allow for increased consumption, I will then take the increase at one-fourth, which would bring in an additional sum of £410,000; and then the whole loss for the year would be £1,230,000, or about £300,000 per quarter: so that if the duty were reduced from the 1st of July the loss would be £900,000; from the 1st of October it would be £600,000; and from the 1st of January it would be £300,000. Now the right hon. Gentleman the Chancellor of the Exchequer reckons his surplus at £1,923,000. The reduction of the income tax to 9d. involves a loss of £850,000, which would reduce the surplus to £1,073,000 and with this latter sum we should have an ample margin for the reduction of the tea duties to 1s. per lb. from the 1st of October at all events. Another gentleman who is very well informed upon these points, does not go quite to the extent of the statement I have just made. He states that the annual increase in the consumption of tea under a 1s. duty, may with perfect safety be estimated at 4,000,000lb., which will cause an annual increase in the consumption of sugar of 16,000,000lb. The increase of revenue, therefore, would be £300,000 per annum; namely—on 4,000,000lb. of tea, at 1s., £200,000, and on 16,000,000lb. of sugar at 1½d., £100,000; so that in the course of about live years we should make good the £1,600,000 sacrificed by the reduction of the tea duty to 1s. But in all probability the increase of consumption would go on at such a ratio that the loss would be made up in three or four years; and there are those who would be prepared under the proposed change to farm out the revenue under an engagement to pay into the Exchequer in four years the total amount which is now raised by the duty of 1s. 5d. A very important subject for consideration with regard to this question is the relative effect of high and of low duties on the consumption of tea. I find that in the year 1840, when an addition of 5 per cent or 1½d. per lb. was made to the duty, the consumption decreased by 1419 2,874,659lb. From 1840 to 1851 the duty stood at 2s. 2½d., and the average annual increase throughout that period was 1,543,000lb. But during the next four years, when the duty was reduced from 2s. 2½d. to 1s. 10d., 1s. 9d., and 1s. 6d., the average annual increase of consumption was 1,851,000lb; and during the last four years, when the duty was reduced to 1s. 5d., the average annual increase of consumption was double, or 3,400,000lb. I must add that as far as I am competent to form an opinion upon such a point I am led to believe that that increase would be doubled during the next five years if the duty were reduced to 1s. Since I placed my notice upon the paper I have received communications from many people both rich and poor; some of those communications I have not yet had time to read; but I was particularly struck by one of them which came from Birmingham; and I hope the hon. Member for that town will now allow me to direct his attention to the statement of one of his constituents. The writer addressed me as follows:— I cannot omit the duty to tender to you the expression of my sincere thanks for your determination to move the lowering of the tea duty instead of the paper duty being taken off. I am a middle-class man with a large family; use 9lb. of sugar, near 1lb. of tea, ½lb. of coffee weekly. I need not tell you what a boon the 2½d. war tax per lb. off tea would be, and especially if sugar were lowered. Now it is clear all the tax to be remitted by your noble Resolution for Thursday's debate will come direct into my own family's comfort. The repeal of the duty on paper would not add one fraction to my comfort, nor would it save me as much in a year, as would your proposition save me the first week it came into operation if carried, as I trust in God it will, by the good sense of the Commons of England. The writer of that communication does not wish his name to be known, as he is a Government employe; but I have no objection to show it to the hon. Member for Birmingham, if he should have any doubt of its authenticity. I believe that if the inhabitants of every large town in the kingdom were polled, it would be found that nine out of every ten of them, or even as many as 99 out of every 100, would rather have a reduction of the tea duty than a repeal of the duty upon paper. It may be thought that I am anxious to make out a very strong case against the latter proposal. But I am not disposed to do

anything of the kind. I have, both in public and in private, advocated a repeal of the paper duty during the last twelve or fifteen years. I believe that that measure 1420 is only a question of time, it is a question of justice to the payers of other taxes, who are still subject to the extraordinary charges that were imposed upon them in a time of war, and who have the first claim on the favourable consideration of this House and the first mortgage on the finances of the Chancellor of the Exchequer—a mortgage which he is bound, I think, as an honest man to redeem. The right hon. Gentleman upbraided some hon. Members on this side of the House for their presumption in entertaining different views upon this subject from those which they held some years ago. It is not my intention to attempt to defend gentlemen who are perfectly competent to defend themselves; but I cannot refrain from saying that I think the right hon. Gentleman the Chancellor of the Exchequer is the last man in the House who ought to have brought forward such accusations. I promised to confine myself to the proposition before the Committee; and I have endeavoured to do so. I have submitted the proposition whether it is desirable to repeal the paper duty, and so to create a permanent loss to the public Exchequer, or to diminish the duty on tea, and thus pass a measure which I think I have shown will lead to a recovery of revenue in the course of five, if not of three or four years. The Chancellor of the Exchequer may take exception to the wording of the Amendment as it stands on the Paper, and he is very ready to object to small details of that kind; but I am quite prepared so to alter the Amendment that it may not be liable to any such objection. I invite the Committee to assent to the proposal I am now submitting to their consideration, not only as an act of justice to the working classes of the country, but with a view to extend our commerce, and to place the national revenue on a more safe and satisfactory footing. The hon. Gentleman concluded by moving his Resolution.

Amendment proposed, In line 7, to leave out the word 'Tea,' and at the end of the Resolution to add the words 'Tea, until the 1st October, 1861; and on and after the 1st October, 1s. per lb.'

Commons May 7, 1861

QUESTION. - BELLIGERENT RIGHTS AT SEA.

MR. HORSFALL

said, that his own inclination would lead him to proceed with the Motion of which he had given notice, but, as his own judgment concurred with what had fallen from the noble Lord and the right hon. Gentleman (Mr. Walpole), he felt that, under the circumstances, he had no alternative but to postpone his Motion until the views of the Government were before the House.

Commons June 21, 1861

COMMITTEE. - HARBOURS BILL.

MR. HORSFALL

denied that either this Bill or the first one gave the parties who levied the duties one farthing to which they were not entitled. They were entitled to levy the dues in perpetuity under the guarantee

of that House, and now they were willing, in accordance with the proposal made by the President of the Board of Trade, to relinquish these dues at the end of ten years, instead of levying them in perpetuity. This was, therefore, no compensation at all. He also denied the accuracy of the statement formerly made by the hon. Member for Sunderland (Mr. Lindsay) relative to the Liverpool pilots.

Commons July 11, 1861

QUESTION. - THE WARRIOR, BLACK PRINCE, &c.

MR. HORSFALL

said, he rose to ask the Secretary to the Admiralty, Whether the Admiralty have enforced the penalties against the builders of the Warrior, Black Prince, Resistance, and Defence, amounting to £50,000 each for the Warrior and Black Prince, and £40,000 each for the Resistance and Defence, as stated in the Parliamentary Return ordered by the House of Commons to be printed on the 21st day of June, 1861; and, if they have not yet enforced these penalties, whether it is their intention to do so; and, whether the Admiralty have already given further orders for building iron-cased ships to any of the builders of the above-named vessels; and if they have not, whether it is their intention to do so until the contracts they have in hand are completed?

Commons July 18, 1861

LORDS' AMENDMENTS. - BANKRUPTCY AND INSOLVENCY BILL.

MR. HORSFALL

observed, that he would not have said a word on that occasion had the hon. Gentleman confined his remarks to his own constituents; but the hon. Gentleman had spoken also for Birmingham and Liverpool. And in justice to the hon. Gentleman he must state that he thought he had been somewhat deceived by the circular he had received from the deputation of the Associated Chambers of Commerce. He had himself received a similar circular, and he found, on inquiry, that Liverpool was not represented in it at all. The Chamber of Commerce of Liverpool had spoken for itself; its petition to the House was in reference to one clause 1118 only of the Lords' Amendments, the clause which referred to creditors' assignees. As to that clause, the petition affirmed the principle laid down in the Bill, but on the question of the appointment of a Chief Judge it expressed no opinion whatever. On that point he believed that opinions in Liverpool, Manchester, and Birmingham were very much divided. Had he himself felt any doubt on the subject, the speech of the hon. and learned Member for Guildford would have satisfied him that the appointment of a Chief Judge would be neither more nor less than a waste of the public money.

Commons March 11, 1862*2 speeches — RESOLUTION. - INTERNATIONAL MARITIME LAW.**MR. HORSFALL*

said, he was not indifferent either to the difficulty or the responsibility of submitting to the House at that moment the Motion which stood in his name, and for many reasons he should have rejoiced if the duty had devolved upon the hon. Member for Rochdale (Mr. Cobden), who early in the Session had given notice of a similar Motion, but who had courteously given way upon hearing that he (Mr. Horsfall) intended to renew the Motion of which he had given notice last Session. It would be in the recollection of those hon. Members who took an interest in the subject of International Maritime Law, that last year, when he brought forward a similar Motion, the present unhappy state of affairs in America did not exist, and he could not contemplate then, any more than he contemplated now, provoking a discussion upon the relative merits of the American Union or of a Southern Independence. On the contrary he was glad of an opportunity of expressing not only his own feelings, but those of a large majority of his constituents, by saying that he cordially approved the strict line of neutrality that had been taken by Her Majesty's Government. His object in mooted the question was to show the very unsatisfactory condition in which International Maritime Law now was. In the early part of Last Session he had inquired of the noble Lord the Foreign Secretary what steps the Government had taken to carry out the recommendations of the Shipping Committee of the preceding year on that subject. The noble Lord frankly declared that the Government had done nothing, and left it to be inferred that they intended to do nothing. It would be readily supposed that such a reply was anything but satisfactory to those who took an interest in the subject; they felt that the recommendations—the unanimous recommendations—of a Committee of that House, which had sat during a whole Session, and had been presided over by the right hon. Gentleman the President of the Board of Trade, were deserving of greater consideration than had apparently been given to them. Without wearying the House with the past History of International Maritime Law, he would remind them that antecedently to 1854 there could be no question but that privateering was recognised as a principle of International Law; that neutral goods on board vessels belonging to subjects of a belligerent Power were liable to capture; and that goods the property of subjects of a belligerent Power on board neutral ships were also liable to capture. That state of law was felt to be a great hardship, and in that year his right hon. Friend the President of the Board of Trade, then unfettered by the restraints of office, brought forward the subject in one of those spirited speeches with which he sometimes favoured the House, and by his Motion sought to commit the House and the Government to the principle that a neutral flag should make neutral goods. His right hon. Friend did him the honour to ask him to second the Motion, which he did with pleasure, and at the same time he took the occasion to urge on Her Majesty's Government the necessity for the abolition of privateering. The noble Lord the Foreign Secretary stated that in a short time a public document would be issued declaring the views of the Government. In a fortnight from that time his right hon. Friend the President of the Board of Trade had the satisfaction of seeing an Order in Council issued, from which he would read an extract. The Order in Council of the 24th March, 1854, said—To preserve the commerce of Neutrals from all unnecessary obstruction, Her Majesty is willing, (or the present, to waive a part of the belligerent rights appertaining to Her by the law of nations. It is impossible for Her Majesty to forego the exercise of her right of seizing articles contraband of War, and of preventing Neutrals from bearing the enemy's despatches, and She must maintain the right of a belligerent to prevent Neutrals from breaking any effective blockade which may be established with an adequate force against the Enemy's Forts, Harbours, or Coasts. But Her Majesty will waive the right of seizing an Enemy's property taken on board a neutral vessel, unless it be contraband of

war. It is not Her Majesty's intention to claim the confiscation of neutral property, not being contraband of war, found on board Enemy's ships. And Her Majesty further declares, that being anxious, as much as possible, to lessen the evils of war, and to restrict its operations to the regularly-organized forces of the country, it is not Her present intention to issue letters of marque for the commissioning of privateers. That was the first step towards Liberal Legislation in regard to International Maritime law. Two years afterwards—namely, in 1856—the Conference took place at Paris. The Powers represented at that Conference were England, France, Russia, Prussia, Austria, Sardinia, and Turkey. The Conference agreed in these four Declarations— 1. Privateering is and remains abolished. 2. The Neutral Flag covers Enemy's goods, with the exception of Contraband of War. 3. Neutral goods, with the exception of Contraband of War, are not liable to capture under an Enemy's Flag. 4. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the Enemy. The present Declaration is not and shall not be binding except between those Powers who have acceded or shall accede to it. It was right to say that nearly every other Power afterwards gave in its adhesion to the Declarations of Paris except the United States of America. Assuming the principles contained in those Declarations to be now acknowledged Maritime Law, the questions which naturally presented themselves were, what would be its effect in the event of War? What had been its effect in time of Peace? Shipowners and importers of produce were at least men of common sense, and they would not ship a single package of goods in a vessel liable to capture if they had the opportunity of shipment in a vessel not liable to capture. The operation of 1362 the law in the event of a war, say with France, would be that every British ship must be laid by in port. No shipper of goods would ship in vessels of belligerents when he had the power of shipping in neutral vessels. Every British ship would be laid by in dock while neutral vessels would obtain greatly enhanced freights. Worse still, British seamen would be drafted from British ships lying up, not into Her Majesty's Navy, but into neutral vessels, which could afford, and would afford, to pay a much higher rate of wages than had been, or would be, paid in the Royal Navy. Such would be the result of the present law in the event of war, and it was a most serious matter to the shipowner, the manufacturer, and the country at large. But what had been already the effect of the law in time of peace? Those who were acquainted with the shipping interest of the country knew full well what had occurred upon the mere rumour of war. A short time ago, when it was thought England might be involved in the war between France and Austria in Italy, however improbable the rumour might be, yet the moment it reached distant ports—such as Canton or Calcutta—a second-class American vessel was able to get freights at a 50 per cent higher rate than a first-class British ship could obtain. That was a very important point, and he was anxious to refer to the evidence of three witnesses examined before the Select Committee on Merchant Shipping. Mr. Allan Gilmour, one of the largest shipowners in the world, said that the stipulation of the Treaty of Paris would operate very prejudicially to British shipping if Great Britain were at war, and it was even then very prejudicial to the British shipowner. The very rumour of a war so enhanced the rate of insurance on goods by British ships that American and other foreign ships had a decided preference. Being asked to suggest a remedy, Mr. Gilmour said the only remedy was an international law which did away with captures entirely; in other words, to place ships on the same footing with the goods they carried. The next witness was Mr. Beazley, an extensive shipowner of Liverpool, who entirely confirmed Mr. Gilmour's opinion. He was asked whether he had himself suffered by competition with a foreign flag. Mr. Beazley replied that he could give a very strong case. He had two ships in China in May, 1859. One 1363 had been built purposely to beat everything afloat. He said to the builder, "Build me a ship that will beat any mortal thing afloat, to bring home the first cargo of tea of the season." He had another ship at Foo-chow-foo. Just at that moment there was some talk about the Savoy and Italian business. There were two American ships at these ports, and the English merchants were so afraid to ship their tea in the British ships that they determined to ship in the American ships. They paid £ 2 a ton higher freight in those ships rather than take the British ships,

because the Americans would not be subject to capture. In the case of England mixing herself up with any Continental law, Mr. Beazley stated that the law as laid down by the Convention of Paris threw at once all the trade into the hands of the Americans or neutral flags. He added, that the law should, in his opinion, go a step further, and let the ship be covered as well as the cargo. The last witness to whom he would refer was Mr. Graves, of Liverpool, formerly chairman of the Shipowners' Association, and who was appointed a Royal Commissioner to inquire into lights and light dues. Mr. Graves entirely confirmed what had been stated by the previous witnesses, that in case of a European war British shipping would to a very great extent remain at home unemployed. He added, that we must either go back and reverse the policy that the flag covers the cargo, or we must go forward and place the ship under the same category as the cargo, and make both free from capture. Mr. Graves said he only regretted that the British Government had allowed one day to elapse without accepting the offer of the American Government to make all private property free from capture at sea.

It had been truly said that the question was of great national importance, not affecting merely our shipping, our commerce, or our manufactures; in that opinion he entirely agreed. It was a question of the most vital importance. What would be the case of our merchant ships in time of war if they were not laid up in dock? In case of war merchant ships required a convoy, and would not that convoy be much better employed in fighting the enemy? As a question of finance, then, the matter was of very grave importance, and one to which the Chancellor of the Exchequer, he thought, might direct his attention with advantage. He would not go into the subject as a question of humanity, though much might be said from that point of view. But it was said by many—and some of his hon. Friends near him were of that opinion—"Oh, make war as calamitous as you can, and you would then be able to bring it to a speedy conclusion." But he was happy to think that that was not the feeling of those whom he had the honour to represent, of the country, nor of Her Majesty, as appeared from the Order in Council which he had just read. Her Majesty there declared, that— Being anxious to lessen as much as possible the evils of war, and to restrict its operation to the regularly-organized forces of the country it was her intention to issue letters of marque. Neither was that the view taken by the Government who issued that Order, nor the view of the noble Viscount (Viscount Palmerston), whom, a few years ago, he, among others, cordially welcomed to Liverpool, and whom he, should be proud to welcome there again. Upon that occasion—it was the very year in which the Declaration of Paris had been signed—the noble Lord dilated upon that subject to the assembled merchants of Liverpool in glowing language, and made use of these words— Gentlemen, we are not inattentive to other interests besides those connected with the grand transactions of war. It has been a subject of great satisfaction to us to reflect that at the commencement of that conflict (the Russian war) the Government of England, in concert with that of France, made changes and relaxations in the doctrine of war which, without in any degree impairing the power of the belligerents against their opponents, maintained the course of hostilities, yet tended to mitigate the pressure which hostilities inevitably produce upon the commercial transactions of countries that are at war. I cannot help hoping that these relaxations of former doctrines, which were established in the beginning of the war, practised during its continuance, and which have been since ratified by former engagements, may perhaps be still further extended; and in the course of time the principles of war which are applied to hostilities by land may be extended, without exception, to hostilities by sea, and that private property shall no longer be exposed to aggression on either side. If we look at the example of former periods, we shall not find that any powerful country was ever vanquished by losses sustained by individuals. It is the conflicts of armies by land, or fleets by sea, that decide the great contests of nations, and it is perhaps to be desired that these conflicts should be confined to the bodies acting under the orders and directions of the respective States. Now he (Mr. Horsfall) desired no better testimony to the justice of his case than that Order in Council and that admirable

speech. He had heard it said that naval officers would not like to be deprived of their prize money, and that there would be no encouragement to young men to enter the navy if the course which he was advocating should be adopted. But he would not insult our naval officers by supposing for one moment that they were actuated by such sordid and unworthy motives. He could speak for those whom he had the honour of knowing, and it was a libel upon them to say so. They all knew, that so far from there being a difficulty in obtaining officers for the navy, there were hundreds and thousands who could not get into it. But, even supposing that Her Majesty's naval officers were actuated by such sordid motives, was not prize money virtually given up in 1856, when the Declaration of Paris was agreed to? Well, they were told by many that there was no use in entering into treaties, because there would be an end of all treaties when war broke out. But what he would propose was not an ordinary treaty; it would be the same as the Declaration of Paris, it would not be abrogated by war; it was an agreement as to the mode in which war should be carried on.

He would come, in the next place, to what appeared to many the most difficult part of the question—namely, the subject of blockade. He deeply regretted that he was absent, owing to indisposition, on Friday night, and that he had not had the privilege of listening to the interesting debate which then took place. Into the subject of blockade generally he would not enter, but he felt bound to say that the sentiments of those whom he had the honour to represent were in favour of respecting it. The next branch of the question was one with regard to which a great injustice had been done to America whenever it was discussed. They had been told that America would not give up the right of privateering; but what she had contended for from first to last was what he was contending for, that the ship and the cargo should be put upon the same footing. What was the statement of President Pierce when the Declaration of Paris was submitted to him? It was as follows:— The proposal to surrender the right to employ privateers is professedly founded on the principle that private property of unoffending non-combatants, though enemies, should be exempt from the ravages of war. But the proposed surrender goes little way in carrying out that principle, which equally requires that such private property should not be seized or molested by national ships of war. Should the leading Powers of Europe concur in proposing, as a rule of International Law, to exempt private property upon the ocean from seizure by public armed cruisers, as well as by privateers, the United States will readily meet them upon that broad ground. Therefore it was not fair to say that the United States would not give up the right of privateering. They would not give it up unless the great Powers of Europe were willing to take the still wider ground that all private property should be free. There was in another correspondence, which had just been published, a very appropriate letter from the noble Lord the Foreign Secretary to Lord Lyons, in which, in anticipation of the civil war which had since broken out in America, he proposed to invite both parties to act upon the principles which had been laid down in the 2nd and 3rd articles of the Declaration of Paris with respect to the rights of neutrals. It seemed that ultimately America agreed to adopt the very words of the Declaration of Paris, but subsequently a letter from Lord Lyons to Earl Russell stated— Mr. Seward called upon me the day before yesterday, and asked me to give him a list of the Powers which have acceded to the Declaration of Paris on maritime law. He said that he had observed a list of those Powers in your Lordship's despatch to me of the 18th of May, which I had left with him for a few days. I readily agreed to send him the list. He went on to tell me that he was endeavouring to disentangle a complication which had been produced by Mr. Dayton at Paris. Mr. Dayton had, he said, been instructed to state to the French Government that the Government of the United States preferred the proposal of Mr. Marcy, by which private property would be altogether exempted from capture, but that, nevertheless, they were willing, if necessary, to accede at once to the Declaration of Paris 'pure and simple,' and to postpone the discussion of Mr. Marcy's proposal to a more propitious moment. Then, on the 29th of July, 1861, Mr. Adams wrote to Earl Russell— Mr. Dayton informs me that some time since he made a proposal to the French

Government to adopt the Declaration of the Congress at Paris in 1856, with an addition to the first clause, in substance the same with that heretofore proposed by his predecessor, Mr. Mason, under instruction given by Mr. Marcy, then the Secretary of State of the United States; to that proposal he received an answer from the French Minister of Foreign Affairs declining to consider the proposition, not for any objection entertained against it, but because it was a variation from the terms of the original agreement, requiring a prior reference of it to the other parties to that convention. This answer does not, in his opinion, make the ultimate acceptance of his addition impossible, 1367 and he does not feel as if he ought to abandon the support of what he considers as so beneficent an amendment to the original plan, until he has reason to despair of success. He has therefore requested to know of me whether I have reason to believe perseverance in this direction to be fruitless. For my part, I entirely concur in the view entertained by Mr. Dayton of the value of this amendment; I also know so well the interest that my Government takes in its adoption as to be sure that it would refuse to justify a further procedure on our part which was not based upon a reasonable certainty that success is not attainable, at least at the present moment. I have therefore ventured to state to Mr. Dayton my belief that I have that certainty; I have therefore mentioned to him what I have likewise communicated to the proper department of the Government of the United States—the fact that in the last conference I had the honour to hold with your Lordship, allusion having been made to the amendment of Mr. Dayton, I said that that amendment was undoubtedly the first wish of my Government, and that I had instructions to press it if there was the smallest probability of success; but that I supposed this matter to have been already definitely acted upon: to which I understood your Lordship to signify your assent, and to add that I might consider the proposition as inadmissible. He was merely showing that the Foreign Minister refused again the proposal of the American Government that all private property on the ocean should be protected. Earl Russell, in a letter to Mr. Adams, confirmed that representation, saying— As far as I am concerned, this statement is perfectly correct. It appeared, then, that the American, French, and English Governments agreed to accept the declaration of the United States in accordance with the Paris Declaration, but that Earl Russell thought it necessary to propose to add the following words in signing the agreement with the United States:— Her Majesty's Government does not intend thereby to undertake any engagement which shall have any bearing, direct or indirect, on the internal differences now prevailing in the United States. He was not saying whether the noble Earl was right or wrong in insisting on these words, as Earl Cowley had previously informed Earl Russell by letter that— Mr. Dayton hardly concealed from M. Thouvenel that the object of his Government in agreeing to sign the Convention was to force the Western Powers to treat the Southern privateers as pirates, arguing that, as the Government of Washington was the only Government recognised by the Foreign Powers, the Southern States must, as far as Foreign Powers were concerned, be subject to the consequences of the acts of that Government. Again, on the 23rd of August Mr. Adams, in writing to Earl Russell, said— 1368The Government of the United States are at last prepared to sign and seal an engagement, pure and simple, and by so doing to sacrifice the hope of attaining, at least for the present, an improvement of it, to which they have always attached great value. But, just at the moment when their concurrence with the views of the other Maritime Powers of the world would seem to be certain, they are met with a proposition from one, if not more of the parties, to accompany the act with a proceeding somewhat novel and anomalous in this case, being the presentation of a written declaration, not making a part of the convention itself, but intended to follow the signature, to the effect that, 'Her Majesty does not intend thereby to undertake any engagement which shall have any bearing, direct or indirect, on the internal differences now prevailing in the United States.' Obviously a consent to accept a particular exception susceptible of so wide a construction of a joint instrument, made by one of the parties to it in its own favour at the time of signing, would justify the idea that some advantage is, or may be suspected to be, intended to be taken by the other. The natural effect of such an accompaniment would seem to be to imply

that the Government of the United States might be desirous at this time to take a part in the Declaration, not from any high purpose or durable policy, but with the view of securing some small temporary object in the unhappy struggle which is going on at home. Such an inference would spoil all the value that might be attached to the act itself. The mere toleration of it would seem to be equivalent to a confession of their own weakness. Rather than that such a record should be made, it were a thousand times better that the Declaration remain unsigned for ever. If the parties to the instrument are not to sign it upon terms of perfect reciprocity, with all their duties and obligations under it perfectly equal, and without equivocation or reservation of any kind on any side, then it is plain that the proper season for such an engagement has not yet arrived. It were much wiser to put it off until nations can understand each other better. He was prepared to say that it was better that the American Government did not sign the Declaration with the addition of the proposed words, because an opening was now left for the British Government to consider the matter in a somewhat different light from that in which they seemed to have regarded it in the course of the correspondence from which he had quoted, and in a future correspondence the question discussed might be that all private property should be respected at sea. He had addressed the House at greater length than he had intended, but he had been anxious to state as clearly as he could the view which he believed to be generally entertained by the commercial community. He was quite aware of the jealousy with which any Motion of the kind was viewed by the Executive Government, but he trusted the noble Viscount would excuse him if he ventured to refer once more to the noble Viscount's speech, the concluding observations of which constituted almost a direct invitation to bring the subject before the House. The noble Viscount, on the occasion to which he had already alluded, ended his speech in the following terms:— Gentlemen, the Government always feels deeply indebted to the great commercial communities which are kind enough to impart to us, from time to time, their suggestions for the remedy of existing evils. We know well that no Executive Government can be so perfectly informed of all the detailed operations of commerce as to be able, without such assistance, to devise those measures which may be best calculated to set free the industry of the country, and to give the greatest development to commercial enterprise. He (Mr. Horsfall) quite concurred in the views of the noble Viscount, and it was in reliance on his express declaration that he had ventured to trespass upon the attention of the House. He was quite aware that the views which he submitted for their consideration had been feebly and imperfectly expressed; but he respectfully and with confidence asked the House to affirm the Resolution which it was now his duty to move. He asked it in the name of the commerce of the country; he asked it in the name of civilization, humanity, and justice.

MR. HORSFALL

What I contended for was that all private property should be respected

Commons March 17, 1862

RESOLUTION—ADJOURNED DEBATE. (SECOND NIGHT.) - INTERNATIONAL MARITIME LAW.

MR. HORSFALL

made a few observations in reply, expressing himself satisfied with the course the discussion had taken. He would, in deference to the suggestions made from both sides of the House, withdraw the

Motion.

Motion, by leave, withdrawn,

House adjourned at a quarter before Two o'clock.

Commons March 31, 1862

AMENDMENT BILL.—SECOND READING. - MERCHANT SHIPPING ACTS, &c.

MR. HORSFALL

also hoped that a full discussion of the provisions of the Bill would take place, as his constituents had that day communicated to him some objections to certain clauses.

Commons April 3, 1862

THE BUDGET—FINANCIAL STATEMENT—WAYS AND MEANS.

MR. HORSFALL

, said, that he did not rise to make any comment on the general statement of the right hon. Gentleman the Chancellor of the Exchequer, which he believed, on the whole, would be considered satisfactory; but, as representing a large commercial constituency, he must express his regret, which he had reason to think would be participated in by the merchants and shippers of the various ports, that the right hon. Gentleman had not done anything to remove those minor, but vexatious, charges to which they were at present subjected. He was well aware of the right hon. Gentleman's statement that in the present state of the Exchequer he could not afford to remove them, but he hoped that their continuance would not be of long duration. The charge of one penny on what were called "units of entry" was most objectionable. The right hon. Gentleman took credit for the Government having years ago removed a large number of charges from the Customs; indeed, there was but a small number of articles now charged with Customs duty, but about 120 articles had been added to the list by the "units of entry." It was not so much the charge itself as the way in which it was collected that made the penny tax on those units vexatious to the persons who had to pay it. For instance, 1d. was charged on 30 bundles of basket rods, 1d. on 5,000 bladders, 1d. on 500 canes, 1d. on 6cwt. of bones, 1d. on 1,000 bricks, 1d. on 1 cwt. of cheese, 1d. on 400 cocoanuts, 1d. on 1 cwt. of cork, 1d. on one ton of "fish, shell, including shrimps and crabs." From these samples of the "units" the Committee might judge 500 that the charge was a very inconvenient one as regarded its collection. He supposed there could be no doubt, after the admission of the right hon. Gentleman as to the obnoxious character of the tax, that it would be removed. Under these circumstances those who paid it must submit for another year, but he trusted that it would be one of the first charges which the right hon. Gentleman would abolish next Session. Then, with respect to the 1s. 6d. on shipping bills and bills of lading, the system adopted by the Customs in respect of these dues involved an immensity of trouble on the part of owners of ships. He had been shown a manifest which the owner of a steamship had been obliged to hand in every week before his vessel went to

sea. It was from fifteen to twenty feet long. He had another in his possession which was from twenty to thirty feet long. The amount of trouble caused by such taxes was utterly beyond any advantage produced by them in the shape of an addition to the revenue. He had only to express a hope that another financial statement would not be made without an announcement that those charges were to be removed.

Commons April 29, 1862

SELECT COMMITTEE MOVED FOR. - INLAND REVENUE AND CUSTOMS ESTABLISHMENTS.

MR. HORSFALL

said, that in rising to move for a Select Committee to consider the practicability of consolidating the establishments governed by the Boards of Inland Revenue and Customs respectively, he wished to premise that he had no desire to cast any reflections upon either of those Boards, still less upon her Majesty's Treasury. On the contrary, he had to acknowledge the courtesy with which the Chancellor of the Exchequer had acquiesced in the appointment of the Committee. He would only, therefore, call attention to a few points connected with the efforts made from time to time to reduce the expenditure, reserving all matters of detail for the consideration of the Committee. According to returns presented to that House the expense of collecting the Customs and Inland Revenue for the year ending the 31st of March, 1861, was £2,317,218, of which the Customs charges were £770,314, and those of the Inland Revenue department £1,546,904. At various times changes had been made in the constitution of the Board of Customs. At one period there existed three boards—one in London, another in Edinburgh, and a third in Dublin, the latter discharging the double duty of collecting the Customs and Excise. At a subsequent period those three boards were abolished, or rather consolidated into a central board in London, the result of which operation was to save the salaries of between 3,000 and 4,000 servants of the Crown, amounting to a quarter of a million annually. A Commission was appointed some time afterwards to inquire into the expense of collecting the Customs revenue, and their labours resulted in a reduction of forty or fifty in the number of officers of Customs, and in a saving to the country of some £16,000 or £17,000. From 1849 to 1860 no material reduction had taken place. In 1841, when Sir Robert Peel introduced his Free-trade Budget there were about 1,000 articles on which duty was required to be paid, and that number was reduced to 515 in 1849; and in 1860, when the right hon. Gentleman the Chancellor of the Exchequer carried his Budget, the number was again reduced to something little over twenty. Considerable relief must therefore, have been experienced by the Board of Customs from the time when the articles on which they had to collect duty amounted in number to 1,000. In the interval the Board had likewise been relieved from the administration of the Navigation Laws, which were abolished; from the charge of the Colonial Customs, which were transferred to the Colonial Legislatures; and from the control of the Coastguard, which had been transferred to the Admiralty. The House and the country therefore had a right to expect that some 1067 reduction would have taken place in the expenditure; but how did the facts stand? In 1841 there were 5,037 persons in the employment of the Board of Customs at a cost of £614,009, and in 1856 they had 5,713 persons in their employment at a cost of £687,241, being an increase of 656 persons and of £73,232 in charges upon the country. It was due to the Chancellor of the Exchequer to say that since the Budget of 1860 a reduction had taken place in the staff to the extent of 543 persons, and in money of £87,679. But bearing in mind that in 1841, while there were 1,052 articles on which duty was collected, 5,037 people were employed at a salary of £614,000, in 1861, when the number of articles on which duty

was paid had fallen to twenty, there were 5,300 people employed, their salaries amounting to £646,602, being an increase between those respective periods of 263 persons, and £32,593. The Estimates for 1862–3 showed an increase which was not large, but was still an increase; it amounted to thirty-eight persons, and £4,475. He should state a few further facts to show to what extent he thought economy might still be carried in the management of the Customs Department, and of the Department of Inland Revenue. By a return presented to the House, he found that there were nineteen ports yielding a gross revenue of £73,736, and at which the cost of collection was £32,621, or 44 per cent of the gross receipts. That was startling; but an analysis of the receipts and expenses at twenty-one ports, the names of which he would state, showed how it was that such a state of things existed. In the following returns the first amount annexed to the name of the port indicated the gross revenue, and the second the cost of collection:—Aberystwith, £245, £617; Cardigan, £65, £422.; Maldon, £272, £875; Milford, 645, £1,337; Padstow, £142, £574; Rye, £278, £661; Scilly, £85, £387; Teignmouth, £655, £666; Wells, £164, £500; Borrow-stoness, £721, £654; Campbelton, £17, £471; Kirkwall, £93, £780; Lerwick, £51, £493; Stornoway, £43, £473; Stranraer, £79, £372; Wick, £1,138, £1,264; Wigtown, £54, £705; Strang-ford. £172, £369; Guernsey, £49. £1,170; Jersey, £154, £1,741; and Middlesbrough, £140, £152. The total revenue from these twenty-one ports was £5.262; and the total cost of collection, £14,683, or 279 per cent, He also 1068 found that there were seventy-three ports, out of the 128 for which the House had the returns, at which the duties were collected at the rate of 27 per cent. He should, no doubt, be asked whether the trade of these ports was not to be carried on. His reply was that the trade must be carried on; but what he contended for was, that if they had officers of the Customs unemployed at those ports, they ought to employ them in the collection of the Inland Revenue. That was the point to which he would direct the attention of the House and of the Government. The principle of consolidation was not a new one in respect of public departments by which the revenue was received. In 1849 the stamps, the excise, and the taxes were consolidated; and there was quite as much difficulty in that consolidation as there would be in the one which he now advocated. He had not heard it from Mr. Wood, the late chairman of the Board of Inland Revenue, himself, but he had reason to believe that he (Mr. Wood) would have carried the work of consolidation still further. The next point to which he wished to refer was that of the multiplicity of forms now used in the Customs and Excise offices. These forms might be very easy to the officers who had each his particular department to attend to, but to the merchant or clerk who had all the forms to attend to they were a mass of confusion. He could not sit down without saying that he entirely concurred in the statement made by the Chancellor of the Exchequer a few evenings before—that if they were to look to the remission of taxation, that could only be obtained by a gradual but resolute economy in every department of the public service. The hon. Member concluded by moving for a Select Committee.

Commons May 15, 1862

4 speeches — COMMITTEE. ADJOURNED DEBATE. - MERCHANT SHIPPING ACTS, &c. AMENDMENT BILL — [BILL NO. 89].

MR. HORSFALL

said, he considered the proposed examination for certificates of competency as one of the most important provisions of the Bill. No injustice was done to the engineers by the change, and it was only carrying out the principle of the Merchant Shipping Bill, that had been applied with such good

effect in the case of masters and mates.

MR. HORSFALL

said, he had hoped that the law would have been amended which enabled sailors to recover their wages, whether the ship was lost or not, or whether they abandoned it upon a supposed emergency. The underwriters or the owner had to bear the loss, and why should not the sailors take their share of the risk? The effect of the clause would be to render seamen apt to abandon their ship instead of standing by her to the last.

MR. HORSFALL

said, he also shared in the surprise expressed by the right hon. Member for Oxfordshire, that the tribunal in its present form gave entire satisfaction to the masters and mates in the mercantile marine. On the contrary, a very large deputation from that body had represented that they were dissatisfied. He thought the right hon. Gentleman might, with a good grace, yield so far as to add to the stipendiary magistrate two assessors; the whole difficulty might then be got over. It was due to the right hon. Gentleman to say that when he asked whether the deputation to which he referred could point to any case where injustice had been done to any master or mate, the reply received was that they could not, but they knew that a general feeling of dissatisfaction pervaded the mercantile community.

MR. HORSFALL

said, it was his intention to support the clauses in the Bill as they now stood, and he should do so for the reason that they would insert the wedge into the question of pilotage. He also agreed that compulsory pilotage ought, 1775 in some places, to be abolished, and in some not, and the clauses would bring that question under the consideration of the Board of Trade. What was the proposal before them? Why, that when any complaint was made to the Board of Trade, whether of compulsory or voluntary pilots, an order should be issued for an inquiry; and then, when the Board was prepared with the information, it should be sent before a Select Committee, in order that the pilots might be heard by counsel. He thought that every representative of the pilots in that House ought to vote for the clauses in the Bill; for the question simply was, whether an opportunity should be afforded to the Board of Trade to inquire into the defects of the pilotage system and to have them rectified, or whether the system should remain as as present, some portion of it compulsory and some voluntary, but with defects in all.

Commons June 19, 1862

2 speeches — [BILL No. 136.] CONSIDERATION - MERCHANT SHIPPING ACTS, &c. AMENDMENT BILL.

MR. HORSFALL

said, he hoped the House would not adopt the clause proposed by his hon. Friend the Member for Sunderland. He would remind them that his hon. Friend had appeared amongst them as the representative of the shipping interest. He brought forward a long list of grievances suffered by that interest, and moved for a Committee to inquire into those grievances. While the Committee

obtained by the hon. Member was sitting, no less than nineteen or twenty shipowners were questioned on the subject of compulsory pilotage, and only four of those were found to support the view of his hon. Friend. Of those four, two were constituents of the hon. Gentleman himself. Not satisfied with that, his hon. Friend brought forward a clause in Committee to do away with compulsory pilotage in every part of Great Britain. When the question of the adoption of that clause was put to the vote, only two Members of the Committee supported the hon. Member for Sunderland. With that decision of the Committee against him, his hon. Friend had now the modesty to come to the House and ask them to adopt his preconceived opinions. In the Bill before the House there was ample provision for doing away with compulsory pilotage in cases where it was shown to be objectionable. As regarded the port of Liverpool—where the system was compulsory—it was the only port in the kingdom to which special reference was made in the Report as having the pilotage in a satisfactory state. He trusted the House would reject the clause.

MR. HORSFALL

said, he would remind the House that the pilot being responsible to the amount of £100, it would be a matter of great importance to him not to incur such a fine, and it was amply sufficient to induce him to take due care.

Question, "That those words be there inserted," put, and negatived.

Commons February 17, 1863

SECOND READING. - LIVERPOOL LICENSING BILL (by Order).

MR. HORSFALL

said, he would beg leave to assure the noble Lord that he had fallen into a great mistake in supposing that this had been made a party question at Liverpool. The necessity for the Bill had arisen in the difference of opinion which existed among the magistracy of Liverpool with respect to the granting of licences; one section being desirous that certain restrictions should be imposed in such cases, while there was another section disposed to grant licences almost indiscriminately. To obviate the difficulties which were in consequence occasioned, it was deemed desirable that the present Bill should be brought in, and he thought the provisions of it would commend themselves to every hon. Member who read them. It would be found that the persons applying for licences should not only be of good character, but should find sureties for their good conduct. It was also required that no licence should be granted to a house rated at less than £50 per annum, and the cost of the new licences was to be £30 each per annum, while as to existing licences it was agreed that fourteen years should elapse before parties now possessing licences should be called upon to pay the higher rate for them. The Bill was mainly framed on the Resolutions of a Committee of that House which sat in 1854. As to the advisability of such a measure being introduced for the whole country, the particular circumstances of each locality should be taken into account; for instance, in Liverpool 1,540 licences had been granted, while in Manchester, with a larger population, there were only 600; and on a recent occasion 124 new licences had been granted in Liverpool, while at Manchester almost every licence was refused. The Bill was not a Bill promoted by the licensed victuallers of Liverpool, but it had received the general support of the people of the town; and he believed that only one petition had been presented, and that not against it, but in favour of a clause being inserted

for the purpose of requiring all public-houses to be closed on Sundays. He trusted, therefore, that the House would allow the Bill to proceed.

Commons March 2, 1863

SECOND READING. ADJOURNED DEBATE. - TOBACCO DUTIES BILL

MR. HORSFALL

said, he rose to protest against the view taken by the hon. Member for the City (Mr. Crawford) that the matter before the House was a question between protection and free trade. The question before the House was simply this, whether they should proceed at once to legislate, or wait till the whole subject had been fully considered by a Committee. He had voted for the adjournment of the debate on the first night, not from any opposition to the Bill, but because he thought there was a want of information, and they ought to have some time to receive communications from their constituents. When he saw the notice on the subject which the Chancellor of the Exchequer had put upon the paper, he could not help asking why it was necessary to bring in a Bill before the financial statement was made. They were told there were precedents for doing so, but there might be bad precedents as well as good ones. When a Motion was made last year to pledge the House to a reduction of the duty on fire insurances, he opposed the Motion, not that he did not think that the duty ought to be reduced, but, because it would be unjust to the Chancellor of the Exchequer to demand the remission of a duty which, upon making his financial statement, he might not be in a position to concede. He had received many communications upon the subject of the Bill, several of them approving its principle, but saying that great injustice had been done to the Chancellor of the Exchequer by those who drew the Bill, because it would be found inoperative. All the communications which he had received, however, concurred in begging him to support the Motion of the hon. Member for the Tower Hamlets for further inquiry. He trusted, however, that the Chancellor of the Exchequer would render a division unnecessary, by consenting to take the second reading on the understanding that the Bill should afterwards be referred to a Select Committee.

Commons March 6, 1863

SELECT COMMITTEE ON INLAND REVENUE AND CUSTOMS ESTABLISHMENTS. - EDUCATION OF FACTORY CHILDREN BILL

MR. HORSFALL

objected to the Motion, and thought the change proposed ought not to take place.

Commons March 17, 1863

PUBLIC-HOUSES

MR. HORSFALL

said, he was surprised at the opposition to the Bill. It appeared to him that the law was most inconsistent. The sale of bread and meat and necessaries of life on Sundays was prohibited; but the public-houses were thrown open to the people, where they might purchase intoxicating liquors. He could not understand that system of legislation. In his constituency the Bill had the support not merely of a large portion 1554 of the people but of the publicans. He should certainly vote for the Motion for leave.

Commons March 20, 1863

THE GALWAY CONTRACT.

MR. HORSFALL

begged to second the Amendment of the hon. Member for Montrose (Mr. Baxter). He said the House was much indebted to that hon. Gentleman for his able and impartial statement of the case. He was sure the country would be greatly astonished at the course taken by Her Majesty's Government in granting the Galway Contract after the strenuous manner in which the Members of the present Administration had opposed a similar contract when made by the late Government. His attention was first called to the Galway Contract by a letter from Mr. Inman, noting partner of the Liverpool, New York, and Philadelphia Steam Ship Company, who brought it under his notice on the ground so strongly urged by his hon. Friend in the conclusion of his speech — namely, the ground of breach of faith. In the Report of the Committee of 1860 would be found J references to interviews had by different gentlemen representing Steam Packet Companies with Departments of the Government. It is stated that Mr. Inman offered to convey the mails for the amount of the ocean postage. On the 15th of October, 1858, Mr. Inman wrote to the Secretary of the Treasury remonstrating against any mail grant to the Lever Company without competition. He said— If any mail grant is to be given between Galway and any other port, I beg to submit it ought to be put up to public competition. In reply to that, and a further communication, Mr. Inman received from the Secretary to the Treasury a letter to the following effect: — I am desired by the Lords Commissioners of Her Majesty's Treasury to inform you, in reply to the letter addressed by you to the Board, on behalf of the Liverpool New York, and 1674 Philadelphia Steam Ship Company, that when a new postal service is about to be established by the Government it is the practice of their Lordships to invite tenders by public advertisements, thereby affording to all parties the opportunity of competing for such services, provided they conform to the required conditions. Very shortly after that letter was addressed to Mr. Inman, the Government of the day, without any further communication with him, entered into a contract with the Galway Steam Packet Company. From the fact that the Montreal Ocean Steam Ship Company offered to take the contract of the Galway Company, and give the latter a bonus of £25,000 a year to relinquish their contract, it must be obvious to every one that the Government must have made a very liberal contract with the Galway directors. He would now refer to a letter which Mr. Inman addressed to the Postmaster General on the 9th of February last, in which he said— On reference to the original contract it will be seen that

the time fixed for the conveyance of the mails between Galway and Boston and New York by the Galway boats offers no advantage of speed over our own between Cork harbour and New York; while several years ago we offered to convey regularly the British mails for the ocean postage, and the records in your Lordships' Department will show that we have never failed to despatch a steamer every week from Ireland without any subsidy whatever, and, when required, two steamers in the week. The House had been told that the chief argument in favour of the contract was that it was one made to an Irish company. He thought it had already been shown that for all practical purposes there was only one Irishman connected with the Company, and only one holder of the 7 per cent preference shares. In the Report presented to the House on the 22nd of May, 1860, the Committee stated that Lord Derby's decision sanctioning the contract with the Galway Company had been given in ignorance of several of the circumstances bearing strongly on the case, including the implied pledge to Mr. Inman that any new service would be thrown open to competition. But the present Government could not have been ignorant of that pledge, and therefore their conduct in the matter was far worse than that of the Government of Lord Derby. However, the question was not one between the late Government and the present. It was the duty of the House to decide whether the contract should be made, and that issue was submitted to them in a practical form by the Resolution of his hon. Friend, which he now begged leave to second.

Commons April 24, 1863

SEIZURE OF THE "ALEXANDRA."

MR. HORSFALL

said, he rose to call attention to the seizure of the Alexandra steam vessel at Liverpool. He had no wish to provoke any general discussion either upon the Foreign Enlistment Act or upon the unhappy state of affairs in America. If, however, the hon. Member for Rochdale (Mr. Cobden), who had a notice upon the paper, should think it right to do so, he could take no exception to such a course. But he ventured to express a hope that the House would not allow itself to be carried away by a discussion upon general principles from the individual case of hardship which it was his duty to submit to them. The case was not one of the seizure of a British vessel upon the ocean by an American cruiser, it was not the capture and condemnation of a British vessel in an American prize court, but it was a calm and deliberate act of the British Government of which he had to complain—an act which had done serious injury to the owners of the ship Alexandra. He would state, as briefly and as clearly as he could, the facts connected with the building, outfit, and seizure of that vessel. She was built by a highly respectable builder at Liverpool, Mr. Miller, for a very respectable firm of something like fifty years' standing in that town, Messrs. Fawcett, Preston, & Co. The vessel was built, launched, and was being fitted out in dock, when, on the 6th of April, a Customs officer went on board and handed to the builder a note in the following terms:— I have herewith to inform you that pursuant to directions from the Commissioners of Customs the vessel Alexandra now being built by you has been seized, pending such further directions as the said Commissioners may see fit to give. After that notice was served, he (Mr. Horsfall) received from Messrs. Fawcett, Preston, & Co. a communication which he would read to the House. It was to the following effect:— We think that it may be advisable to send you at once a general outline of our position as regards the Alexandra. Having had many inquiries for a vessel of her description, we had her built for us as a speculation. She had been launched, and we were completing her engines and fittings on board, when the Customs authorities, acting under directions from the Government, seized her. The Alexandra is our

property. She is a three masted wooden schooner, of under 300 tons, builders' measurement, with engines upon the screw principle, of 60 horse power, calculated to drive her at a speed of from nine to ten knots per hour. She is designed and was being fitted out in a manner adapted either for a passenger vessel, for a mail boat, or for a yacht. Happening to be in Liverpool at the time, he felt it his duty to go on board the *Alexandra*. He examined the vessel minutely from stem to stern, and the result of his observations was to confirm every word in that letter. The notice from the Customs was followed by a very prompt and proper reply from Messrs. Fawcett, Preston, & Co. to Mr. Edwards, the collector of the Customs, requesting to be informed on what ground the seizure of the *Alexandra* had been ordered; and giving notice in the mean time that they would hold the Commissioners of Customs responsible for any loss or damage consequent on the seizure. That letter was dated the 7th of 705 April; and Messrs. Fawcett, Preston, & Co., having waited until the 9th without getting any answer, then addressed this further communication to the Collector of the Customs— We have not been favoured with any reply to the communication made to you on the 7th, and in the mean time we find that our workmen have been prevented from continuing their work on board the *Alexandra*. We beg respectfully to protest against this interference with our ship and our workpeople, and request that we may be furnished with the evidence upon which these proceedings have been taken. On the following day the owners of the vessel received a letter from Mr. Edwards, stating that he had received directions from the Commissioners of Customs to inform them that the *Alexandra* had been seized by order of the Government, and that the usual proceedings would ensue. Mr. Edwards further stated that their request to be furnished with the evidence upon which these proceedings were taken would be transmitted to the Board. Messrs. Fawcett, Preston, & Co., then instructed their solicitors, Messrs. Fletcher & Hull, to ask the Collector of Customs to be allowed to see the depositions on which the proceedings had been taken. The collector very properly told them that he had no discretion with regard to the depositions, as they were not in his hands, but were in the hands of the police. The solicitor waited on the head of the police, who told him that the depositions had been transmitted to the mayor, and they could not be shown without his sanction. The solicitor then applied to the mayor and the town clerk for permission to see the evidence on which the property had been taken, but they refused. Upon that the solicitor addressed the mayor, stating that he had been informed that the seizure had been made, upon certain depositions, at the instance of the consul of the United States, which had been sent to the mayor, and requesting an inspection thereof. To this the mayor replied that he did not feel at liberty to permit such an inspection without the sanction of the Home Secretary, from whom he had received the depositions, Messrs. Fletcher & Hull then applied for permission to proceed with the completion of the vessel, but they were refused. They received a letter from the collector stating that the depositions were then in the hands of Mr. Hamil, the solicitor to the Customs, who was then in Liverpool, and to whom they might apply. In consequence of 706 that suggestion, Messrs. Fletcher & Hull applied to Mr. Hamil, and from him they received a letter, dated the 15th instant, in which he referred them to an answer given in that House by the hon. Secretary for Foreign Affairs, to the effect that "the matter was under consideration." Now, as far as regarded the seizure of vessels by American cruisers, it might be quite proper that such an answer should be given; but when the British Government thought right to seize vessels, they ought to consider first, and not afterwards. Mr. Hamil proceeded to say— As the Crown can have no possible desire to act otherwise than impartially, and with due regard to the ends of justice, no advantage will be taken by keeping you and your clients longer than necessary in ignorance of any information to which you are fairly entitled, to enable you to prepare your defence, and the moment I am at liberty to do so I will again communicate with you on the subject. No further communication took place until the solicitors of Messrs. Fawcett & Co. received the following notice that the *Alexandra* was exchequered:— No. 1. Date, 1863. Seized by officer Edward Morgan. Cause of seizure:—For being equipped, furnished, and fitted out with intent to be employed in the service of persons exercising, or assuming to exercise,

the powers of government in and over a foreign State, colony, province, or people, the ship or vessel *Alexandra*, of Liverpool, &c. He had already mentioned to the House the statement made by Messrs. Fawcett & Co., that no such intention was entertained at all, and he was sure the House would rather take the statement of such a firm than that of the parties who gave the information on which the seizure took place, but whose names were not to be made known. As to the question whether the seizure could possibly have been made under the Foreign Enlistment Act, he would read an authority which he thought neither the House nor the Government would question. The hon. and learned Solicitor General stated— It would be a great mistake to suppose that the Foreign Enlistment Act was meant to prohibit all commercial dealings in ships of war with belligerent countries. Two things must be proved in every case to render the transaction illegal—that there has been what the law regards as the fitting out, arming, or equipment of a ship of war, and that this was done with the intent that the ship should be employed in the service of a foreign belligerent, The Solicitor General also gave it as his opinion that— The United States Government have no right to complain if the Act in question is enforced in 707 the way in which English laws are usually enforced against English subjects—on evidence, and not on suspicion, on facts and not on presumption, on satisfactory testimony, and not on the mere accusations of a foreign Minister or his agents. Nothing, to his mind, could be more satisfactory than that declaration. And he would next read the following further extract from the letter he had received from Messrs. Fawcett & Co.:— It is an anomalous condition of things that we may, without question supply whole batteries of field pieces, with carriages and equipments complete, to known agents of the Federals, while we are not permitted to build and complete an unarmed vessel, because it is supposed that she might ultimately, by re-sale, become the property of the Confederate States. In any case, it is very desirable that it should be more clearly defined to what extent manufacturers may go in the production of such description of work as we have named, and that without risk of an interference, which, besides being detrimental to employers, may have the effect of suddenly casting adrift many hundreds of workmen. To that letter there was an important postscript, to which he begged to call the especial attention of the House. It was as follows:— With reference to field batteries named in our letter, we enclose a communication received from Messrs. Peabody & Co., confirming an order verbally given to us by General Fremont. Shell for the equipment of the field-pieces were, we believe, procured in this country from another source. He thought that extract would be incomplete if he did not furnish the House with the contents of Mr. Peabody's note, which was addressed to Mr. Gordon, agent for Messrs. Fawcett, Preston, & Co. The note was to the following effect:— We have received your letter of this date (18th June, 1861), with copy of yours of the 4th instant to Colonel Fremont, and that officer's reply to you of the same date, accepting your offer to supply eight 12-pounder rifled field-pieces, with carriages, &c., complete, for the sum of £1,700, on certain conditions, and within a certain period, as therein mentioned; and, in consideration of the due fulfilment of such contract by Messrs. Fawcett, Preston, & Co., we hereby guarantee to them due and punctual payment of the above-named stipulated sum of £1,700. He would beg leave to remind the House that his hon. Friend (Mr. Laird) had recently called the attention of the House to the large amount of arms shipped at Liverpool for the Federal Government. Had any steps been taken to arrest the shipment of those arms? The people of this country liked even-handed justice. If there was to be non-intervention and strict neutrality, why not stop the shipments of arms to the Federals when they stopped the fitting of vessels which, it was sup- 708 posed, might ultimately fall into the hands of the Confederates? He held in his hand a Custom-house Return of the shipments which had taken place from Liverpool since his hon. Friend brought the subject under the consideration of the House. Some of his constituents in that town were very worthy, but very wary people, and he now found that instead of shipping rifles as rifles, they shipped them in bundles of gun-barrels. Thus, on the 24th of March, subsequent to the date on which his hon. Friend had addressed the House, 1,000,000 percussion caps had been exported to New York; on the 25th, 870 bundles of gun-barrels, and 4 tons 16 cwt. of rifle-barrels; on

the 26th, 10 cases of rifles; on the 30th, 341 bundles of gun-barrels; on the same day, another shipment of 433 bundles; on the 1st of April, 8,100 bundles; on the 9th of April, 17 tons 12 cwt. of gun-barrels, and on the same day 4 tons 3 cwt.; on the 10th, 20 cases, containing 400 rifles; on the 13th, 36 tons 11 cwt. of gun barrels; on the 16th, 150 bundles of gun-barrels; and on the 22nd, 200 cases of rifles, shipped by Messrs. Brown, Shipley & Co. That was not all. His Liverpool friends generally made their shipments as cleverly as they could, and he had another Return showing 437 packages of "hardware" exported to the Northern States. It was pretty well known in Liverpool what that "hardware" was, and any of the detectives could easily ascertain the fact. But they were not satisfied with supplying the Federal Government with cases of rifles, bundles of gun-barrels, and percussion caps, they were sending that Government the hands to use them; and the House would be surprised when he stated, that the emigration of Irish labourers from Liverpool during the present year up to that period had been greater than was known since 1853. There had emigrated from Liverpool, to the 31st of March last, no less than 24,807 emigrants, and from the 1st of March to the 21st of April, no less than 14,648. Now, they had no right to stop these emigrants from going, but they had a right to ascertain by whom they were sent; and he was told—and if Her Majesty's Government wished to investigate the tiling he could communicate to them the names of his informants—that the passage-money of a large number of these men had been paid to America. They were told that the Foreign Enlistment Act applied only to ships, and not to the exportation of arms; but the people of this country would not be satisfied with such an explanation. The Foreign Enlistment Act was an Act of the Legislature; and if this country professed to observe strict neutrality, it was the duty of the Government to have that Act amended, so that the shipment of arms should be prevented as well as the fitting of vessels supposed to be intended for warlike purposes. He would not enter into any discussion of the Foreign Enlistment Act on this occasion, and he purposely abstained from saying anything which might be considered irritating either to the people of this country or to the United States. But he should ill discharge the duty which he owed to his constituents, to the House, and to the country, if he did not here solemnly enter his public protest against the system of espionage which had been introduced into this country, and which was furnishing fictitious information to the American Government—information which was leading our merchants into the most serious difficulties, and which, if not guarded against, would assuredly lend the Government into far more serious difficulties, lie had now, as briefly as he could, stated the facts of the case. As a previous Motion had been negatived, he believed he was precluded by the forms of the House from moving for the papers in the usual way, and therefore he could only appeal to the Government to offer every possible facility to the owners of the *Alexandra*, in order that they might free themselves from a charge which he believed to be utterly unfounded, and from a position which was fraught with the greatest hardship and injustice.

Commons June 2, 1863

CASE OF THE "ALEXANDRA."

MR. HORSFALL

said, he wished to ask, whether the hon. and learned Gentleman would object to furnish the informations in the case?

Commons June 3, 1863

SECOND READING - PUBLIC-HOUSES BILL

MR. HORSFALL

said, that before stating certain facts with regard to the borough of Liverpool, he would reply to a few of the observations which had been made by the hon. and gallant Member who had moved the Amendment (Captain Jervis). The hon. and gallant Member had stated that the effect of legislation in Scotland had not been to diminish either the consumption of spirits or the amount of crime. That statement was entirely erroneous. The effect of legislation to check the sale of intoxicating liquors had been quite successful. It appeared from the Returns, that during the five years after the passing of the Forbes Mackenzie Act the consumption of spirits in Scotland had fallen off 750,000 gallons; and as to crime the Royal Commissioners to enquire into the working of that Act said— The improvement in large towns has been most remarkable. Whereas formerly on Sunday mornings numbers of persons, in every stage of intoxication, were seen issuing from the public houses, to the great annoyance of the respectable portion of the population on their way to church, the streets are now quiet and orderly, and few cases of drunkenness are seen. The evidence of the police authorities proved that, while there has been a considerable diminution in the number of cases of drunkenness and disorder since the passing of the Act 16 & 17 Vict., c. 67, the change has been more marked on Sunday than on any other day in the week. Employers of labour and workmen themselves were unanimous in testifying to the great improvement that has taken place in the regularity of the attendance at work on Monday morning; and many publicans examined before us expressed themselves as grateful for the existing law, regarding the cessation of business on Sunday as a boon of which they would not willingly be deprived. It was alleged by some of the witnesses that the improvement to which we have referred is more apparent than real, and that the persons who formerly resorted to public-houses on Sundays now either purchase a supply of spirits on Saturday evening, which they consume next day in their own houses, or obtain drink to as great an extent as before at unlicensed houses, or, as they are termed, 'shebeens,' the number of which is stated to have greatly increased of late years. There may be some truth in these allegations. But we did not obtain any evidence to prove that the practice of drinking to excess in their private houses prevails to a greater extent among the lower orders now than it did formerly. And with regard to 'shebeens,' while the evils arising from them, and the remedies by which these evils may be met, will form the subject of remark here- 297 after, it may be noticed at present that to attribute to them anything like the amount of intemperance which the closing of public-houses has put down is to ignore the evidence already referred to as to the decrease of Sunday convictions, and the increased regularity of attendance by the labouring classes at their work on Mondays. In quoting from the pamphlet, entitled Working of the New Beer Act, the hon. and gallant Gentleman omitted to state that that pamphlet contained eighty-seven Returns from the most important towns in the kingdom, eighty-two of which, including Bradford, were in favour of the Act called Wilson Patten's Act, and thirty thought that it would be an improvement if the public-houses were closed altogether on Sundays. The Return from the Superintendent of police of Harwich, the borough which the hon. and gallant Gentleman represented, was that since the Act came into operation intoxication on Sunday had diminished, crime generally had decreased, and the neighbourhood was on a Sunday quieter and more orderly than before. His hon. and gallant Friend had alleged that this was a measure in the direction of class legislation. It might be class legislation, but its object was to put all parties upon the same footing. But the law as it now stood was class legislation, because it enabled licensed victuallers to entry on their trade on a Sunday, which all other classes were prohibited from doing. Nor was there any foundation for the analogy that was attempted to be set up between public-

houses and clubs; in virtue of which discovery the hon. and learned Member for Sheffield (Mr. Roebuck) had given notice, that if this Bill was agreed to, he should move to include clubs within its operation. But, with all due deference to the logical mind of the hon. and learned Gentleman, the cases were not at all parallel. Public-houses were houses open to the public, to which every individual had a right to demand access, while clubs were private houses from which the public were excluded, and to which they had no right to demand admission. They were, in a manner, the private residences of many Members of that House and other persons. The hon. and gallant Member for Harwich had referred to the subject of the Petitions which had been presented in favour of this Bill, and to the manner in which he suggested they had been got up. Of the Petitions which he had presented, not one was signed by children; and among them was one signed by several hundred barmen, barmaids, and waiters in public-houses 298 in Liverpool, who prayed the House to give them a day of rest. He now came to the facts connected with Liverpool, which he had promised to state to the House. On the 18th of May a meeting, at which he was present, was held in St. George's Hall) to receive the result of the canvass of that town. There were 4,000 persons inside the Hall, and a large assemblage outside, both of which meetings resolved to petition in support of this Bill. Before the result of the canvass was announced, the Rev. Dr. White stated the mode in which it had been carried out— There were sixteen districts with one man to each, each man being furnished with a section of the Map of Liverpool, with the most stringent and oft-repeated instructions—1st, to omit no house, whether of rich or poor; 2nd, to make no attempt at coercing any to sign any of the papers in particular, or, if unwilling, to sign at all; 3rd, to misrepresent none, but honestly to report the returns made, whatever they were; and lastly, to receive no signature unless made by the principal or by one acting by his or her authority. The result of the canvass so conducted was as follows:— There were in the borough 72,350 houses, of which 5,350 were uninhabited, and 67,000 inhabited. Of the occupants of these houses 6,339 were neutral, 6,417 were for closing except for two hours, 3,330 were against Sunday closing, and 44,100 were for total closing on Sundays. More than this, he had the satisfaction of stating that of the working men who signed the Petition a large majority were in favour of the total closing. In one district, which was chiefly inhabited by working men, 352 artisans were in favour of this Bill, and 55 against it; while 1,687 labourers were in its favour, and only 159 against it. Such a canvass ought to convince any one what were the opinions of those whose judgment it represented; and he had no doubt, that if every large town and rural parish in the country was canvassed, there would be a large majority in favour of this Bill. The hon. Member for Hull (Mr. Clay) had expressed some apprehension of riots if the Bill passed. He was not afraid of riots, and he earnestly asked the House to pass the second reading of the Bill, which he was convinced would confer social and lasting blessings upon every class of the community.

Commons July 8, 1863

[BILL 95.] SECOND READING. - ANCHORS AND CHAIN CABLES BILL.

MR. HORSFALL

said, he was surprised at the course taken by the hon. Member for Sunderland (Mr. Lindsay), and still more at the likelihood of this measure being opposed by the President of the Board of Trade. Few Bills had been introduced in that House which were more important to the shipping interest. He believed the great majority of the shipping interest were in favour of this measure, and on behalf of his own constituents, he was anxious to see it passed. The hon. Member for Shoreham (Mr. Cave) appeared to think the Bill was retrospective in its character; but it would not come into operation till

the 1st of January 1864.

Commons July 15, 1863

[BILL 95.] COMMITTEE. - ANCHORS AND CHAIN CABLES BILL.

MR. HORSFALL

denied that the Bill would relieve shipowners from responsibility. Every shipowner had a certificate of much greater value than that now proposed—namely, a certificate from the Board of Trade that his ships had qualified masters and mates. Yet his responsibility was not thereby diminished.

Commons February 17, 1864

[BILL 95.] SECOND READING. - CHAIN CABLES AND ANCHORS BILL.

MR. HORSFALL

said, he was surprised to hear the objections to the Bill endorsed by the hon. Member for Sunderland, himself a shipowner. Shipowners were not all rogues, but if they were the ninth clause would render them guilty of a misdemeanour. He apprehended no difficulty whatever in connecting the chains with the certificates. The fact seemed to be overlooked, that before the Committee which took evidence on this subject, strong opinions in favour of testing were expressed, both by shipowners and manufacturers. He had himself presented a petition, having a similar object, from the Mercantile Marine Association of Liverpool, a body numbering over 1,000 members, principally captains and mates of vessels, who surely ought to know something on the subject. Where there was a will there was a way; and the Board of Trade, if they were determined to carry out the principle, would find there was no difficulty that might not be easily surmounted

Commons February 23, 1864

2 speeches — PAPERS MOVED FOR. - VESSELS "EL TOUSSON" AND "EL MONASSIA."

MR. HORSFALL

seconded the Motion.

Motion made, and Question proposed.

MR. HORSFALL

said, he wished, in the first instance, to thank the hon. Member for Horsham for the very able and clear manner in which he had brought the subject under the consideration of the House. The

Attorney General had said that his hon. Friend had asked for papers which were just the papers the Government could not place before the House— namely, the documents intervening between the 1st and 3rd September; but the hon. and learned Gentleman had forgotten to re- 975 mind the House that Mr. Adams had stated that those papers did not add any additional evidence to that already known. The Attorney General had told the House that the Government had no wish to oppress the commercial interests of the country; but he (Mr. Horsfall) should like to know upon what ground they had refused to Messrs. Laird their permission to complete the vessels whilst they were in possession of the Government — a course which would have increased the value of the vessels to the Government, and would have enabled the Messrs. Laird to receive the List instalments payable for the vessels. That course of conduct certainly amounted to oppressing the commercial interests of the country. The hon. and learned Gentleman had alluded to the case of the *Alexandra*; but he (Mr. Horsfall) should have thought that that was the last case to which he would have alluded—a case in which a jury of British gentlemen had given a clear and unanimous verdict against the Crown, and in which the Judges had refused an appeal. The hon. and learned Gentleman, however, took a different view, and thought that upon a further appeal that decision might be reversed. He (Mr. Horsfall) did not think the hon. and learned Gentleman had improved his position by reminding the House of the course which had been pursued by the Government in the case of the *Alexandra*. Upon a recent occasion, however, he had stated in an admirable speech made in that House, that it was the duty of the Government not to enforce English law against English subjects upon mere suspicion, or without satisfactory evidence. He should like the House to consider where the satisfactory evidence was against the rams. Although Her Majesty's Government would not give them information, some information had been laid before the American Congress. From the papers published in America, it appeared that one of the principal evidences against these rams was a person named Chapman, who, as the Attorney General would perhaps recollect, had been very properly designated at the lute trial as a spy. Another witness in the case was a Mr. Clarence Randolph Young, who had to give a most extraordinary account of himself in cross-examination at the trial of the *Alexandra*. It appeared that he had deserted his wife and child at Savannah—that he went to Kingston, and married a mulatto woman with some money, and that, having sold all her property, he 976 deserted her in Liverpool and came up to London to be a witness in that case. Certainly the Government could not be congratulated on the witnesses they brought forward. In the same case a Mr. Wilson, a very respectable man, was called on to speak to the character of the ship, but it turned out that he had never built a ship for twenty years. It would be curious to know something of the evidence brought before the noble Earl at the head of the Foreign Office. On the 31st of August, the Under Secretary for Foreign Affairs wrote to the hon. Member for Birkenhead (Mr. Laird) in reference to the *Alabama* in these terms — In a note which Earl Russell has lately received from Mr. Adams the *Alabama* is described as a vessel 'fitted out and despatched from the port of Liverpool,' and his Lordship directs me to say that he would feel much obliged to you if you could inform him how far it is true that the *Alabama* was fitted out as a vessel of war at Liverpool before she left that port. Mr. Laird's reply, with his characteristic frankness, was as follows: — In reply to your letter of the 31st of August, stating that Earl Russell would feel much obliged to me if I can inform him 'how far it is true that the *Alabama* was fitted out as a vessel of war at Liverpool before she left that port.' I request that you will inform his Lordship that I am not able, from my own personal observation or knowledge, to reply to his Lordship's inquiry, as I did not see the *Alabama* after the first week in July, 1862, being some weeks before she sailed. In order to obtain for his Lordship from a reliable source the information he has asked for, I have made inquiries from my successors in business, the firm of Laird, Brothers, the builders of the vessel now called the *Alabama*, and I am authorized by them to state that the vessel referred to was delivered by them at the port of Liverpool, and that at the time of her delivery she was not fitted out as a vessel of war. That letter appeared to have been transmitted to Mr. Adams by the noble Earl, and he was sorry to say that he could not join in the eulogium which had been passed

by his hon. Friend the Member for Hors-ham on the American Minister. Writing to Earl Russell, Mr. Adams said — I cannot but regret that your Lordship should have adduced the evidence of Mr. Laird in support of any proposition made to my Government. I trust that I may be pardoned if I remind you that the statements made heretofore by that person in Parliament respecting their action are not such as are likely to lead to their implicit credence in any relating to his own. Such language from Mr. Adams was insulting to the hon. Member for Birken-head, insulting to Earl Russell, and insulting to the House of Commons. He had known the hon. Member for nearly forty years, during which time several severe contests had taken place between the Cheshire and Lancashire sides of the Mersey, and he defied any man to cast a slur on his character. Earl Russell had allowed this language to pass entirely unnoticed, and he could not help thinking that such conduct on his part was undignified and unbecoming a British Minister. In a letter to Mr., Adams, Earl Russell pointed out that the Government were advised that the information contained in the depositions was in a great measure hearsay, and that it was not such as to show the intent necessary to make the building and fitting out of these vessels illegal. Now, there was not one word in the Foreign Enlistment Act about "building," and why should Earl Russell introduce the word? If these vessels were not to be built, surely that was an oppression of the mercantile interests of the country. It ought to be the policy of this country to encourage the building of vessels in every possible way, and no doubt that was the intention of those who passed the Act. If the nations of the world were allowed to come here to get their vessels of war built, and to have their munitions of war manufactured, they would not be at the trouble of getting shipbuilding yards and manufactures of ammunition of their own. Therefore, if we went to war we could shut out our adversary from the means of procuring arms and ammunitions of war. It would, in his opinion, be a most fatal policy on our part to declare that no ships of war should be built in this country for other nations. It was very easy for the Government, with the large public funds at their disposal, to crush the commercial interests of the country by law proceedings, but the public eye was keenly watching the Government in the course they were now pursuing. For his own part, he held that the whole proceedings in the case of the Alexandra and in the case with regard to the Messrs. Laird constituted an act of the most cruel injustice, and a useless expenditure of the public money.

Commons March 3, 1864

QUESTION. ASSAULTS WITH KNIVES.

MR. HORSFALL

Sir, I would beg to ask the Secretary of State for the Home Department, Whether Her Majesty's Government are prepared to take any steps to prevent the wearing of sheath or dagger knives, from the use of which so many murders have been committed?

Commons March 17, 1864

4 speeches — ADJOURNED DEBATE. - ORDER READ, FOR RESUMING ADJOURNED DEBATE ON QUESTION [4TH MARCH], "THAT MR. SPEAKER DO NOW LEAVE THE CHAIR."

MR. HORSFALL

said, he rose to second the Motion. He could not quite concur with the hon. Baronet who had just sat down in believing that there had been any intention to mislead the House on the introduction of the Bill.

MR. HORSFALL

Looking, however, at the important interests affected by the Bill, and the large amounts which had been invested in Friendly Societies by the humbler classes of the country, he would urge upon the House that the greatest caution ought to be observed in dealing with the subject. The pleasure with which he had listened to the Chancellor of the Exchequer's eloquent speech the 220 other evening, was in some degree marred by the conviction he then had in his mind, that the statements put forward by the right hon. Gentleman could not altogether be substantiated. It was easy to bring very serious charges in a very few words, but it often took time and some documentary evidence to rebut them. He must, therefore, ask the indulgence of the House if he referred to documentary evidence at greater length than was his wont in addressing them. The right hon. Gentleman said in his speech, "I am very anxious to have it understood that I state these things as I gather them from the published records, and not as matters privately or personally known to myself." Accordingly, he took it for granted that the right hon. Gentleman referred to the Report of the Registrar of Friendly Societies, and on taking up that volume he was very much surprised to find that a large portion of it consisted of fifty to an hundred anonymous letters, with no names, no places, and no dates, and of five extracts from leading articles in provincial papers. The book was edited, he believed, by Mr. Tidd Pratt; and one of the articles opened in these terms— Mr. Tidd Pratt, the Registrar of Friendly Societies, has rendered many a good service to the working classes of England, but none more likely to accomplish greater ends than that which he has just achieved with regard to the legal expenses which a Friendly Society may incur. He opened the volume hoping to obtain some valuable information, but with the exception of these leading articles, anonymous letters, and one or two balance-sheets, the Report was good for nothing. The right hon. Gentleman singled out for comment two societies existing in considerable strength in the town he had the honour to represent—the Royal Liverpool Friendly Society and the Liverpool United Legal Friendly Burial Society. As regards the first of these the right hon. Gentleman had misstated—he was sure unintentionally —some of the facts connected with the society. In the first place, he had taken the number of policies to the end of the year 1863, whereas he had only taken the accumulated fund down to June, 1863. The right hon. Gentleman said, "The Royal Liver last year made 135,000 policies; the number which lapsed in the same time was 70,000." He did not state that the rules of the society provided against the forfeiture of any policies in consequence of non-payments through omissions or derelictions on the part of the 221 officers of the society. Its rules also were most favourable to members in arrear of payments. Only members who by their own default were fourteen weeks, or more than a quarter of a year, in arrear were wholly excluded and out of benefit. All the large societies allowed but twenty-one days' grace, whereas the Royal Liver gave a quarter of a year to enable members to recover their policies. The right hon. Gentleman, perhaps, was not aware that great difference of opinion existed as to the state of the law. Parliament had not given to Friendly Societies the power of buying up lapsed policies. Parliament defined the payments Friendly Societies should make, and limited those

payments to fixed contingencies. The fact that a large proportion of lapsed policies accrued in the Liver as in all other large Friendly Societies was not owing to any want of consideration for the depositors, but chiefly to the state of the law. The right hon. Gentleman, therefore, had not acted quite fairly in bringing a charge of want of consideration against the society. [The CHANCELLOR of the EXCHEQUER: I brought no such charge.] The charge had not been made in terms, but by implication. The right hon. Gentleman said— There is a rule in the regulations of the Royal Liver which authorizes the Committee of Management to grant to the widow or relations of any member dying out of benefit, in cases of want of employment, sickness, or anything else whereby he was necessarily rendered unable to pay, any sum not exceeding £5. The discretion is given to the committee; but," he added, "it is not for me to say how much has been distributed in that way. Again, the Chancellor of the Exchequer stated the premium income of the society to be £77,000 a year; and asked what did the House suppose to be the expense of management in raising and dealing with the income —£36,000! The whole cost of management, properly so called—namely, salaries to agents, treasurer, collectors, clerks, and committee of management would be found not to be a large percentage on a gross receipt of £83,000. The society's accounts were swollen by items for 'commission' and costs of collection, which scarcely ought to be regarded as a part of the cost of management at all. These commissions were, in effect, payments made by the depositors themselves to the collectors, who saved them the trouble and loss of time and labour incident to attendance at an office, to pay in their deposits. The commissions were cheerfully paid by 222 the depositors to the collectors, who called at their houses for their money. In the accounts of many societies the commissions were not thus accounted for; but the Royal Liver Society, since its reconstruction, had always kept those items on the face of its accounts, feeling that the true interests of Friendly Societies required that nothing whatever should be concealed from the members, but that every item of receipts and every item of expenditure, to the smallest fraction, should be brought into the balance-sheet. Such Friendly Societies as the Royal Liver wholly depended upon a system of house-to-house collection of small sums, not exceeding 1d. in the majority of cases, and rarely amounting to 1s. in any case. The commission was calculated for in the tables of the Royal Liver Society, and did not exceed the amount so allowed for. It could be wished that commissions for collection might be dispensed with. But how was that to be effected? Habits of providence and thrift had to be brought home to the dwellings and families of the poor; and when agents of the societies collected the money at the dwellings of depositors, regularity of payment was promoted and public-house temptations avoided. The right hon. Gentleman said that the Royal Liver held its meetings in public-houses, but that assertion he (Mr. Horsfall) denied. Then, as to the accumulated assets of the society, which the right hon. Gentleman stated at £39,000, with an income of £77,000, after fourteen years' existence. The Royal Liver Friendly Society had however, only in its present form, an existence of four years. In 1860, the members themselves entirely reconstructed the board of management, and that board caused to be framed new and most excellent rules, which were settled by Her Majesty's late Attorney General, and instituted a continuous and rigid audit of the accounts through Messrs. Harmood, Banner and Son, public accountants, of Liverpool. The result was, that the society had since enjoyed great prosperity, In 1861, its income was £27,000; in 1862 it had risen to £64,900; in 1863 to £83,000; and by July, 1864, at its then rate of increase, it would be £100,000. In 1861, the assets of the society were £18,000; in 1862, £25,600; in 1863, £39,000; and in the six months between July, 1863, and January, 1864, they increased to £50,000. Such were the true facts connected with the Royal Liver Society, which conducted the whole of its 223 proceedings in public. There was no concealment or hurrying up to London in case of arbitration. An application to the nearest magistrate was all that was necessary, and by him an arbitrator was appointed. The trustees of the society were well known to the right hon. Gentleman; they were Mr. Rathbone, of Liverpool, Mr. Rawlings, of Liverpool, and his hon. Friend the Member for South Lancashire. These names ought surely to be guarantee sufficient for

the manner in which the affairs of the undertaking were conducted. But that was not all. He held in his hand a document signed by a gentleman whom the Chancellor of the Exchequer had deservedly complimented a few evening ago —the actuary of the Guardian Fire Life Assurance Company—and what said that gentleman? I have examined the burial branch benefit tables, and also the endowment and sick branch tables of the Royal Liver Friendly Society, and on the perusal of the rules of the said society, and ascertaining there from the restricted liability of the society under such rules, on information furnished me by a Committee of the said society appointed for such purpose, together with the statistics produced to me by such Committee, and in comparison of their rates of charges with the usual assurance rates, and taking into account the nature of their insurance and the class assured, and the modes of paying the premiums for securing benefits from the funds of the said society; and further taking into consideration the results of the previous and present working of the said society under such tables, so far as can be judged of by their balance-sheets for the last two years produced to me, and the continued progressive improvement of the said society in a pecuniary point of view, and also allowing a rate of working expenditure not exceeding 40 per cent per annum, I hereby certify, that I consider the said burial branch, endowment, and sick branch tables of the said Royal Liver Friendly Society perfectly safe, and calculated at rates which may be beneficially retained by the members of the said society. It was not necessary that he should say more with reference to the Liver Society, and he now came to the other society— the Liverpool United Legal Friendly Burial Society. The title of that society, as quoted by the right hon. Gentleman, was differently reported in different papers. In The Times it was called the Liverpool United Loyal Friendly Burial Society, in the other papers it was rightly called the Liverpool United Legal Friendly Burial Society.

MR. HORSFALL

It was not so reported in any paper, and they could scarcely all be wrong.

MR. HORSFALL

said, the right hon. Gentleman must have quoted then the title of one Company, and the balance-sheet of another. Of course, when the subscribers to the Liverpool United Legal Friendly Burial Society read the Chancellor's statement, they went to the Committee and said, "You must be putting forth a false balance-sheet, as the Chancellor of the Exchequer says that your business is £10,000 a year, and after twenty-one years your accumulations are only £3,900." The Committee were naturally very indignant, and they had written to him (Mr. Horsfall) with a statement of their accounts, from which it appeared that, instead of the income of the society being £10,130, and its accumulated capital only £3,900 as stated by the right hon. Gentleman, its income was £12,725 and its accumulated capital £14,158. He was very glad that the right hon. Gentleman had withdrawn his accusation against this society, and he had no doubt that that withdrawal would be perfectly satisfactory to its members. The hon. Member for Dudley had referred to a society in Liverpool called the Liverpool Protective Burial Society, of which Robertson Gladstone, Esq., was the treasurer. Now, he (Mr. Horsfall) would not have alluded to that at all if it had not been for the difference between the statement put forward by that society and the statement of the Chancellor of the Exchequer. The right hon. Gentleman calculated the working expenses of that society at something like 48 per cent. The society made it—[The CHANCELLOR of the EXCHEQUER: I never mentioned it.] He was perfectly well aware of that, but the hon. Member for Dudley had mentioned it; and upon the mode of calculation adopted by the right hon. Gentleman, the expenses of the management of that society would amount to from 45 to 48 per cent of the receipts, but according to the calculations of the managers of the society themselves, they were only about 10 per cent. It would be for the right hon. Gentleman to explain how he made the amount between 40 and 50 per cent.

Now that it was proposed that the business of all these societies should be taken under the patronage of the Government, it would be well to know a little of the results of Government management. He had in his hand a book published by an hon. Member 225 opposite, in which it was stated that the expenditure in the Post Office for the year 1861 amounted to £3,154,000, against a gross receipt of £3,530,000, leaving only £376,000 to be properly carried to revenue—a pretty large percentage for the cost of management. He had also a curious document relating to the "Customs' Insurance Benevolent Fund," the balance-sheet of which, he did not hesitate to say, was the most extraordinary one that was ever submitted to the public. The accounts were all mixed up together, but the receipts for the year ending the 5th of January, 1864, were estimated, subject to correction, at £33,000. These receipts were derived from a variety of sources. One was what was called "The Bill of Entry Income," which was estimated to produce from £25,000 to £27,000. Although this society had no office to pay for, the expenses of management of this branch of the society were something above 50 per cent. But what was its most remarkable feature was, that, although every Customs' officer was bound to contribute one penny in the pound of his salary to it, there were certain members who did not receive a farthing of benefit from it. As an illustration of the opinion which was entertained of the measure by those who were acquainted with the subject, he would read what was said of it by a gentleman who was evidently an admirer of the right hon. Gentleman. Mr. George Smyth, who described himself as having been for twenty years mixed up with Insurance Companies and Friendly Societies, said— When I read the speech of the Chancellor of the Exchequer—as I did over and over again—in support of his Annuities Bill, I was perfectly astounded. No one can admire more than I do the learning, the eloquence, the financial ability, and political integrity of the hon. Gentleman; but I did not think that by such a Bill he was capable of offending the feelings of self-help, self-respect, and self-reliance of, I may say, the entire working population of England; that he would despise and ridicule the mighty work which, almost unaided by legislative protection, they alone I have done to provide against the afflictions of sickness and death; that he could mistake or misrepresent important facts with respect to that work, the Friendly Societies of England; that he would sneer at or undervalue the good they have done, as it were, by stealth; and that, all of a sudden, he would introduce a Bill, not to reform these institutions, not to give protection to the members of them, and perpetuate them as a prominent feature of our social system and the loftiest and holiest objects of finance—in my mind an easy work for the Legislature—but that he should ask the representatives of the working 226 men of England in Parliament assembled to help the Government to establish a Friendly Society of its own, which proposes, not to insure persons under sixteen years of age, being rather a risky and troublesome as well as an unprofitable class of lives—not to insure against sickness, an unprofitable business also—but a society that, by virtue of the security it would offer, might induce the best lives of the working classes to become policy holders in it, leaving to the existing Friendly Societies all the sick business, which is bad, and all the bad lives in the life branch, without offering to the members that must remain by these societies the slightest hope of that legislative protection, the want of which alone has led to the evils of which the right hon. Gentleman complains. All the objections to the Bill were summed up in that sentence. It did not go to the amendment of the Friendly Societies Act, as it ought to have done. It went to sapping them all; taking the best Life Assurance business to be managed by the Government, leaving the rest to the managers of these societies, and depriving three millions of their members of the best portion of the receipts which should accrue to them. He had, therefore, great pleasure in seconding the Amendment.

Amendment proposed, To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee," —(Sir Minto Farquhar,)

instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Commons May 6, 1864

INTOXICATING LIQUORS (SALE ON SUNDAYS).

MR. HORSFALL

said, he must express his surprise that the House, as an assembly of Gentlemen, should have tolerated the language of the hon. and learned Member for Sheffield (Mr. Roebuck). The hon. and learned Member had no right to stigmatize nearly a million of his fellow: countrymen as "canting hypocrites," or 175 to apply that epithet to any Gentleman in the House. He was astonished, also, to hear him say he spat on the Bill. He thought that such language was not becoming the dignity of the House. The hon. and learned Gentleman had told them that he stood up for the rights and privileges of the people; but he seemed to ignore the claims of the poor barmen, who had petitioned Parliament in thousands to afford them relief. He appealed to the House to comply with their request. The hon. and learned Member undertook to prove that the Bill was precisely the same as that of last year, but had neglected to do so. The fact was, the Bill was different from its predecessor. His hon. Friend the Member for Hull (Mr. Somes) consulted him on the subject, and he recommended him not to submit the same Bill to the House, but to defer to the opinions then generally expressed, and allow two hours a day. His hon. Friend had taken that advice. He regretted that the Home Secretary had not seen fit to grant the courtesy of a first reading, but hoped the House would not yield to the influence of the Government in the matter.

Commons June 3, 1864

PRIVATE BILL LORD STANLEY

Rose to move that the Standing Order, which limited 1135 the owning or using by Railway Companies of steam-vessels, harbours, and docks, be repealed.

MR. HORSFALL

said, he was anxious that the House should not be led away by the observations made by the President of the Board of Trade when he said that the practice of the House was different from its Standing Order. The Standing Order gave the Committee full authority to exempt a Railway Company from its 1144 operation if they made out a satisfactory case showing the public necessity of granting these steamboat powers. But the noble Lord now proposed to take away from Committees those powers which they possessed, and to throw upon the public the onus of showing that the powers were not required, instead of leaving Railway Companies under the obligation of showing that they were required. Now, what was everybody's business was nobody's business. The Railway Companies might, in that way, get the powers as often as they were asked for, even though the granting of them

might prove detrimental to the public interests.

Commons June 9, 1864

3 speeches — [BILL 96.] COMMITTEE. - COLLECTION OF TAXES (re-committed) BILL.

MR. HORSFALL

said, he thought the Bill was a step in the right direction. They must bear in mind that the ratepayers had felt the present mode of collecting the rates in many instances to be a great grievance. It was calculated that the saving to the revenue would be £50,000; but from the evidence taken before the Committee it appeared that it would be a saving to the public revenue of as much as £80,000 per annum. At present, in case the collector eloped, although the taxpayer had paid his taxes, he was liable to be again called upon. That was because the collectors were appointed by irresponsible parties, and not by Government. But if a Government collector were to fail, no such thing could happen. When the tax was paid once, it was paid for all. As to the supposed difficulty of collecting the tax by letter, they had it in evidence that in Scotland, where collection by letter had been tried, it had been found easier to collect it in that than in any other way. Though very much in favour of the Bill, he thought the Members for London, sixteen in number, had exercised an undue influence on the Government in the matter, and he should be prepared, if the Bill went into Committee, to vote that the exception in favour of London should be struck out.

MR. HORSFALL

said, he should move, as an Amendment to the clause, that all the words should be struck out which exempted the metropolis from its operation.

Amendment proposed, To leave out the Proviso at the end of the Clause—namely, "Provided always, That nothing in this Act contained shall be deemed to extend or apply to the Circuit of Receipt called 'The London Receipt,' as settled under the authority of the third section of the Act passed in the first and second years of the reign of King William the Fourth, chapter eighteen, and the sixth section of the Act passed in the fifth and sixth years of the reign of the same King, chapter twenty."—(Mr. Hornfall.)

MR. HORSFALL

said, the country constituencies had a right to complain of the insertion of the exemption. It was the country constituencies, and not the metropolis, who were taken by surprise. 1481 In the original Bill there was no exclusion of the metropolitan districts. There was a very strong feeling upon the subject; and his constituents thought that if the Bill was inapplicable to London, it was equally inapplicable to Liverpool.

Commons June 16, 1864

QUESTION. - IRELAND—DAUNT'S ROCK.

MR. HORSFALL

said, he would beg to ask the President of the Board of Trade, Whether any steps are being taken for blasting Daunt's Rock, or for placing a Light Vessel with Fog Signals, to prevent a recurrence of accidents?

Commons June 16, 1864

SUPPLY—CIVIL SERVICE ESTIMATES. - £3,200: TO COMPLETE THE SUM FOR THE CIVIL ESTABLISHMENT, BERMUDAS.

MR. HORSFALL

said, he begged to dissent from the observation that the mercantile community were in favour of the Vote, for mercantile men were afraid that the expedition would not be attended with any practical result.

Commons June 20, 1864

THIRD READING. ADJOURNED DEBATE. - COLLECTION OF TAXES BILL— [BILL 96.]

MR. HORSFALL

said, that he had supported the Bill on its second reading because he concurred in the principle, and he was still of opinion that if it was carried out in a proper manner it would confer a boon upon the ratepayers by effecting a considerable saving. He had, however, a strong feeling against the metropolis being 2094 exempted from its provisions, and he therefore thought it his duty to oppose the third reading of the Bill.

Commons July 13, 1864

COMMITTEE. - INSOLVENT DEBTORS BILL — [Bill 20.]

MR. HORSFALL

said, that a very strong remonstrance had been sent from Liverpool against this Bill, and, therefore, he would urge the hon. Member not to press it at this late period of the Session.

Commons February 24, 1865*(by Order)—SECOND READING. - LIVERPOOL LICENSING BILL.**MR. HORSFALL*

said, that he was surprised that the hon. Member for Carlisle (Mr. Lawson) should have taken this course. Last year that hon. Gentleman himself introduced a measure called the Permissive Bill, by which he intended to check intemperance, and now when another Bill was brought in having the same object, but not adopting his machinery, he thought it right to oppose it. The Bill was substantially the same as that of 1863, but it was a mistake to say it was supported solely by the licensed victuallers of Liverpool. Petitions in its favour had been presented from the magistrates, town-council, and select vestry of Liverpool, the Board of Guardians of the West Derby Union (the largest Union in England), and the Toxteth Park Board of Guardians. The only provisions of the Bill which were not to be found in the Bill of 1863 were the clauses whose object was to check the licensing of public-houses in neighbourhoods where they were not wanted, by fixing a ratable value to houses below which licences should not be given, which fixed the licence at the increased sum of £30 a year, and made it uniform for all houses, thus abolishing the distinction between public-houses and beershops; while, as had been stated, it carried out as many as seven of the recommendations of the Committee of 1853. There was no town in the kingdom in which greater efforts had been made to provide for the recreation and the moral and social improvement of the people than in Liverpool, and yet, notwithstanding that, there was no other town in which intemperance prevailed to so great an extent. It appeared from the Report of the Chief Constable of Police that the number of cases of drunkenness in Liverpool were in the year 1861, 9,834; in 1862, 12,076; in 1863, 13,912; and in 1864, 14,002. Adding the cases of assault arising from drunkenness the number would be 17,265; and of 27,000 cases of drunkenness in Lancashire, as nearly as possible one-half occurred in Liverpool. It might be said that the presence of sailors accounted for the excess; but compared with other seaports, that town showed equally unfavourably. It had been stated in print that there were in Liverpool, in proportion to the population, six times as many cases of drunkenness as in Hull, seven times as many as in London, and fourteen times as many as in Bristol. He doubted whether that statement would be borne out by facts; but he was convinced that there was three or four times as much drunkenness in Liverpool as in any other town in the kingdom. Moreover, Dr. Buchanan, who was last year sent by the Government to inquire into an epidemic which was raging in Liverpool, reported that intemperance was one of its main causes; and Mr. Nugent, the Roman Catholic chaplain of the gaol, traced the crimes of seven-tenths of the prisoners to the same source. He had no hesitation in saying that a great portion of this state of things arose from the system of unrestricted licensing. It was easy to blame the magistrates; but hon. Members must remember that in great towns there was a large body of magistrates, and it could not be expected that they should all entertain the same views upon this subject. Some of them were favourable to granting licences, others were opposed to it; and the consequence was that there was the greatest discrepancy in the number of licences granted in each Session. In the year 1861, when those who desired to restrict licences were in a majority, only twenty-eight licences were granted; but next year a superior number of the other side were present, and they granted 124 licences. In the following year, when the friends of the restricting system were again in the majority, only thirty-six licences were given; but last year, when the other section prevailed, the number rose to 147. It could not be said that the magistrates did not punish with sufficient severity the offences of persons who held licences. In 1861, 363 penalties were inflicted, amounting to £213; in 1862, 383, amounting to £268; in 1863, 397, amounting to £506; and in 1864, 600, amounting to £957. Was there not a case for legislation, and what were the objections urged against it? They were told by the hon. Gentleman that

legislation ought to be by an Imperial and not by a local measure. But how long were they to wait for this Imperial legislation? It was now ten years since the 647 Committee made its Report, and no action had been taken upon it. The opposition to this Bill proceeded from the licensed victuallers of London, and at the conference at Derby the representatives of that body objected not to local legislation, but to any legislation at all. He earnestly appealed to the House not to reject this measure, but to allow it to go before a Committee, by whom every clause might be considered and reported upon to that House.

Commons March 17, 1865

SELECT COMMITTEE ON TRADE WITH FOREIGN NATIONS — QUESTION

MR. HORSFALL

said, that he had read the Report of the Committee with the greatest attention, and he had also read a great portion of the evidence; but he did not altogether agree with the conclusions to which they had come. With the first recommendation of the Committee—that of placing the President of the Board of Trade on an equality with the other Ministers of the Crown, and making him at all times a Member of the Cabinet—he entirely agreed; but he had looked in vain for any evidence to support the second one, that the Board of Trade should be placed in direct communication with the members of the consular and diplomatic service through the Foreign Office. The President of the Bradford Chamber of Commerce, Mr. Ripley, absolutely and repeatedly declined to give any opinion upon the subject. Mr. Behrens, a merchant of the same town, said that the only office that could be responsible was the Foreign Office. Mr. Allhusen, a merchant of Newcastle-upon-Tyne, handed in a long memorial from the Chamber of Commerce of that place, but it contained not a word as to whether the responsibility should rest with the Board of Trade or with the Foreign Office. Mr. Akroyd, of Halifax, formerly a Member of that House, said that he should like to see a Minister of Commerce, but that he ought to be at the Foreign Office. One merchant, Mr. Ashworth, the President of the Manchester Chamber of Commerce, certainly appeared to lean towards the Board of Trade. His answer was a very peculiar one, but those who had experience of the conciliatory manner of the President of that Board, and knew how courteous a reception he gave to any gentleman who approached him, could easily account for its language, Mr. Ashworth said— We have hitherto had very familiar intercourse with the Board of Trade; the directors whenever they come to London are always welcome there. If they go to the Board of Trade to ask for information they find every freedom of access and familiarity there; they are always well received. But I do not know a man who ever went to the Foreign Office except upon a deputation; I do not myself know any individual in the Foreign Office beyond the hon. Under Secretary for Foreign Affairs himself. If Mr. Ashworth had been so frequently at the Board of Trade, and had never been at the Foreign Office except on a deputation, he would not be considered a very competent witness in the present case. It had, however, been his (Mr. Horsfall's) duty, as the representative of a considerable seaport, to go to the Foreign Office so often that he must have been sometimes considered a nuisance, and his experience was that as much commercial information was to be obtained there as at the Board of Trade, and he must say that all his representations had met with prompt and immediate attention. The Secretary to the Dundee Chamber of Commerce thought it would be better if the Foreign Office managed affairs of trade with foreign countries entirely, and if the Board of Trade had nothing to do with the matter. Mr. Lindsay, the Member for Sunderland, was examined before the Committee. He was asked— Do you think that it would be more advantageous to keep the power of negotiation in

the hands of the Foreign Office, and to give no Executive power to the Board of Trade? I think it would be much more desirable to keep the power of negotiating in all such matters as those to which the honourable Chairman has referred in the hands of the Foreign Office. Upon what do you base that opinion? My reason is, that I think the work would be done with more promptitude; and if those negotiations were entirely in the hands of the Foreign Office our diplomatists abroad would necessarily in their training be obliged to gain a knowledge of commercial affairs which would be very useful to this country, and they would, consequently, be much more competent to deal with those questions than they are now. The hon. Gentleman had cited the evidence given by Lord Malmesbury, who, seeing the feeling among certain Gentlemen, said that he saw no objection to communications from the Board of Trade going under cover from the Foreign Office to our Ministers and Consuls abroad. But Earl Russell, who had considerable experience at the Foreign Office, and Lord Clarendon, who had had still greater experience at the Foreign Office, and at the Board of Trade besides, were decidedly opposed to the view in question. The hon. Gentleman spoke of delays at the Foreign Office; but he (Mr. Horsfall) had no such delays to complain of, and no one had had more opportunities of judging. The Foreign Office were not the only body who were complained of for delay, for Mr. Hammond told the Committee that the Foreign Office were two months in getting an answer from the Bradford Chamber of Commerce. Another complaint was, that the Chambers of Commerce were not put in communication with the Italian Deputy who came over to this country on the subject of a commercial treaty. Now, in his opinion, nothing could be more fatal to the success of a commercial treaty than for it to be known that it was brought forward on the suggestions of the Chambers of Commerce in this country. He should like to refer to a letter written on this subject by the hon. Member for Rochdale (Mr. Cobden), dated July 16, 1863. The hon. Member said— As a general rule, I should say that recommendations emanating publicly from our own commercial bodies must afford very disadvantageous grounds for the Foreign Office in attempting to move other Governments to reduce their tariffs. I can understand that our diplomatists abroad might, in a quiet way, by keeping foreign Governments well informed of the benefit which a free trade policy has conferred, not only on the prosperity of our people, but (what is still more precious to rulers) on the interests of the public revenue, induce them from motives of self-interest to follow our example; but from the moment that it is known that our diplomacy is set in motion by our Chambers of Commerce to urge a reduction in the tariffs of other countries, it places foreign Governments, which are generally more enlightened and disinterested on economical questions than their people, in the disadvantageous position of appearing to move under foreign influence for the benefit of aliens; and thus the most seductive arguments are furnished to the Protectionists, who can appeal to the prejudices and even to the patriotism of the people, in defence of what they call the rights of native industry. I have, whenever an opportunity has offered, expressed these views to the members of our Chambers of Commerce. Nothing could more clearly show the impropriety of placing our Chambers of Commerce in communication with the Italian Deputy. The third recommendation seemed to point to an increase on the staff of the Foreign Office in order to conduct the correspondence between the Foreign Office and the Board of Trade. If the efficiency of the Foreign Office were thus increased, no one could object. He did not cavil either at the Report or the evidence of the Committee, and if the labours of the Committee resulted in the more efficient action of the Foreign Office in matters of trade and commerce no one would rejoice more than himself.

Commons April 28, 1865

MOTION FOR A SELECT COMMITTEE. - OUT-DOOR OFFICERS OF CUSTOMS.

MR. HORSFALL

said, he had been prevented from presenting a petition from Liverpool in favour of the Motion. He should deeply regret if Her Majesty's Government should resist the appointment of this Committee. He would not say that these officers were either underpaid or overpaid, but it was well known that there was a feeling of dissatisfaction among them, and if the appointment of this Committee would remove that feeling Her Majesty's Government would do well to appoint it. He regretted that his hon. Friend had not extended his Motion, because it was not in the out-door department alone in which dissatisfaction existed, but also to a great extent in the indoor department, and if a Committee were appointed to inquire into the one class, that inquiry should be followed by another into the other class.

Commons May 18, 1865

3 speeches — [BILL 52.] COMMITTEE. - PARTNERSHIP AMENDMENT BILL.

MR. HORSFALL

admitted that the clause did put the lender in a somewhat advantageous position, but suggested as a safeguard that some limit—say twelve months—might be fixed within which money drawn out should still be liable to the debts in case of bankruptcy before that period had expired.

Clause, as amended, agreed to.

Clause 2 postponed until after Clause 3.

Clause 3 agreed to.

Clause 2 (Lender not to rank with other Creditors in case of Insolvency).

MR. HORSFALL

said, that there was a great difference between the two clauses, and he much preferred that of the hon. Member for Tamworth (Mr. John Peel).

MR. HORSFALL

MR. HORSFALL moved the following Clause:—

(Registration of lenders and borrowers.) The names, addresses, and descriptions of 538 the lender and borrower, the amount of the loan, the time of repayment, and the proportion of profits to be paid on the loan, shall be registered at the office for the registration of Joint Stock Companies; and any variation in the amount of the loan, or in the proportion of profit payable upon it, or any

extension of time for repayment, shall also be registered in like manner. He said it was the clause of which the hon. Member for Tamworth (Mr. John Peel) had given notice, and it differed in one important respect from that which had just been negatived by the Committee.

Clause (Registration of lenders and borrowers,)—(Mr. Horsfall,)—brought up, and read.

Commons May 18, 1865

COMMITTEE. - PUBLIC-HOUSE CLOSING ACT (1864) AMENDMENT BILL— [BILL 22.]

MR. HORSFALL

said, it was to two justices in petty sessions.

Commons February 27, 1866

SELECT COMMITTEE MOVED FOR. – EAST INDIA COMMUNICATIONS.

MR. HORSFALL

said, that he seconded the Motion. The clear and able statement of his hon. Friend rendered it unnecessary for him to detain the House for more than a few moments. He should have been glad if his hon. Friend had confined his proposal to an inquiry into the telegraphic communication, without adding the postal communication to it. The two questions were too wide for a Committee to deal with within any reasonable period. As to the telegraphic communication, there were great complaints, both of its extreme irregularity in delivery and its great incorrectness. He would confine himself to stating a few facts to corroborate what had fallen from his hon. Friend the Member for London relative to telegraphs. Like his hon. Friend he had received a great number of communications which he had been requested to submit to the House. He had made a selection, and would give the House a few illustrations of telegraphic irregularity. The first letter to which he would call their attention was one complaining of the telegraphic communication with Bombay. It stated that an order had been sent by telegraph to Bombay for a considerable purchase of cotton. The message, which ought to have been delivered in twenty-four, or at most in thirty-six hours, had not come to hand for thirty-six days, not till after a letter containing a duplicate of the order had been received. The same party received a telegram last month, stating that Mr. H., the managing partner of the concern in Bombay, was leaving in consequence of ill-health, and requesting that a gentleman should be sent out immediately to take his place. A gentleman was sent out at a salary of about £1,000 a year; but soon after a letter arrived from which it appeared that the telegram was not from Bombay; that it was not a man in the position of the partner there who was wanted, but that a clerk of the same name having fallen ill at Madras a person was required to replace him. Within a short period the same parties complained that eleven messages were not delivered at all; four reached in about a month after transmission, and two were unintelligible when delivered. Some four or five months ago application was made to the Electric and International Telegraph Company for repayment of a sum of about £66 for these useless messages. They said they would communicate with the foreign telegraph office, but nothing had been heard of the matter since. He had another

letter from Calcutta which stated that in the case of a number of telegraphic messages from Calcutta the time of transmission was from five to thirty-one days. Two messages were sent out on the 16th of December. One reached in seven, and the other in twenty-three days. One writer said he had sent out "a limit" for the purchase of cotton, which limit was very much increased. In another case this limit was sent "Increase 5 per cent," which was altered to "Increase liver per cent." One house sent to Madras in six months 250 messages, and received 153, at a cost of nearly £4,000, and it so happened that many of those telegrams had never been delivered at all, while in other cases those which had been sent last were delivered first. The only way in which this could be accounted for was that the operators in Turkey not being fond of hard work, waited till they got a number of those messages, when, having previously filed them, they commenced to work them off; so that those which were filed last got their turn first. He did not vouch for that as a fact, but it was one of the statements put forward. He had received one or two suggestions to the effect that the only remedy for the irregularity was to have British "signallers" appointed. They had the evidence of the hon. Member for Greenwich (Sir Charles Bright) that between Bussorah and Kurrachee, that portion of the line being worked by English signallers, messages were sent a distance of 1,500 miles in little more than half an hour. He had received a communication from the Liverpool Chamber of Commerce, which had been endeavouring to collect information on the subject. In answer to the inquiries made by the Chamber, an extensive house said that, in their experience, the irregularity was so uniform that they found it difficult to single out instances of irregularity. Every telegram they received was a fresh illustration of the very defective and unsatisfactory working of the system. His hon. Friend had made out a very clear case on the part of the mercantile community; but those who asked for a reform in this telegraphic system might go further. There was no one who had relatives in India but felt that this was a social question, and no one knew better than Her Majesty's Government its importance in a political point of view. He hoped that when his hon. Friend got his Committee he would put practical men upon it—men competent to grapple with the subject; and that if we could not have a perfect, we should at least have an improved system of telegraphic communication between this country and India.

Motion made, and Question proposed, That a Select Committee be appointed to inquire into the practical working of the present systems of Telegraphic and Postal Communications between this Country and the East Indies."— (Mr. Crawford.)

Commons April 12, 1866

SECOND READING. – CORRUPT PRACTICES AT ELECTIONS.

MR. HORSFALL

hoped that, as the borough which he had the honour to represent (Liverpool) had been put forward as an illustration, of the probable working of the Bill, and as, moreover, it had been taken last week under the special patronage of the Chancellor of the Exchequer, he might be allowed to occupy the attention of the House for a few minutes. He must say he thought too much importance had been attached to the right hon. Gentleman's visit to Liverpool, and to the three gatherings held there. The first of these was a dinner given by the Liberal electors of South Lancashire, six months after the election, in honour of the Chancellor of the Exchequer, who had been elected a Member for that constituency, standing the third on the poll. That dinner, he had no doubt, like all Liverpool dinners, was a very excellent one, and the newspapers informed them of whom the company consisted. It

appeared that, in addition to twenty-five invited guests and twenty-eight reporters, about 500 gentlemen sat down to dinner, besides 600 ladies in the gallery attended by 800 gentlemen. Now, all he had to say was, that if a Chancellor of the Exchequer, a distinguished orator, a Chancellor of the Duchy of Lancaster, a noble Lord who was an Admiral, and a noble Duke, would go down to Liverpool and would have in the gallery 600 ladies, or, as they were called in his county, Lancashire witches, he would undertake to say that there would be as enthusiastic a meeting—if not a more enthusiastic one—in favour of Conservative principles. Well, the next gathering was entitled a public meeting in the Amphitheatre; but how were persons admitted on that occasion? Why, by ticket, and they knew full well to whom those tickets would be distributed for a meeting of that kind. Far be it from him to say a word in disparagement of any gentleman who was present there—but of course free discussion was out of the question. He knew the building, and how many people it would contain—namely, from 3,000 to 3,500. He freely admitted that the meeting was full and was enthusiastic; but what of that? He had frequently attended meetings in that building when there was a far less important subject under discussion, and far less important personages present, and yet that building had been equally crowded and equally enthusiastic. Lastly, there was a so-called "mass meeting," but there never was a greater misnomer. He could not speak from his own observation, but he found in one of the local papers an account the accuracy of which, he thought, would not be questioned by the Chancellor of the Exchequer. This was the account which that paper gave of the mass meeting—A demonstration of the working classes of Liverpool in favour of the present Reform Bill was announced by placard to be held on Saturday afternoon, at three o'clock, in front of the Wellington Monument. At that hour there were about thirty people at the place appointed, and the expectation of the enthusiasm which was anticipated seemed to be altogether hopeless, when suddenly a small body of prominent Liberals—in the person of Mr. R. J. Jeffery, Mr. Robertson Gladstone, and one or two others—made their appearance at the corner of London Road. They directed their way to the vacant space in front of St. George's Hall, whither they were eagerly followed by the people who had gathered together. Beside the place where the famous 'lions' of Liverpool are stationed a couple of floats, as they are called, were put, into which as many as could be accommodated scrambled in the most extraordinary manner. Something like an appearance of order was given to the arrangement by the placing of several chairs on one of the floats. By this time the crowd had considerably enlarged, and numbered perhaps a few hundreds. It was composed partly of working men who had come with the intention of hearing the speeches, but chiefly of clerks and others who were on their way home after leaving office, and who evidently came to listen to the proceedings more from a feeling of curiosity than from any interest they had in the result. As always happens on such occasions a good deal of 'chaffing' prevailed, but even in that respect (perhaps owing to the fact that at no time was the number of those persons above 1,000) the affair was a miserable failure. It was an absurdity to designate as a mass meeting an assembly of 1,000 persons in a place like Liverpool, which had a population of half a million. He had himself been present at a meeting in that town of 5,000 working men, who had assembled for the purpose of petitioning Parliament on a far more important question than the present, and that was the closing of public houses on Sunday. Yet that petition was disregarded by the House. He would pass on to some of the observations made by the Chancellor of the Exchequer, who had told his audience that one great object of the Reform Bill was to improve the composition of the House of Commons; and he proceeded to illustrate that by pointing to my hon. Friend and late Colleague Mr. Ewart, who occupied the chair, and saying—With reference to the constitution of the House of Commons, one method in which you may improve that constitution is, I will venture to say, by sending back among us my respected Friend who sits in the chair. Now, he had nothing detrimental to say against Mr. Ewart, with whom, though they sat on opposite sides of the House, he had acted cordially for ten years, and he would pass over the compliment paid to his hon. Colleague and himself, for it was plain Mr. Ewart could only be re-elected by turning one or the other of the present Members out; but what did the Chancellor of the

Exchequer go on to say? And here he might remark that he had never heard or read a speech of the Chancellor of the Exchequer's which contained such unhappy illustrations as that delivered by the right hon. Gentleman at Liverpool. As an illustration of the necessity for a Reform Bill, though he did not admit that the present electoral franchise was bad, the right hon. Gentleman said— Suppose a merchant has a flourishing business, with all its arrangements complete, and suppose an opening is made evident to him that by some increased outlay and venture he may, in perfect consonance with the rules of prudence, make a more increased profit on his industry and capital, does that merchant require to be shown that his business already is a bad one? No, certainly not; but he says, 'I will make it as good as I can.' Now his (Mr. Horsfall's) experience in mercantile life told him that where a merchant had a good and a flourishing business he ought to be content. He had known very melancholy consequences to arise when a merchant who was carrying on a flourishing business had fancied that he could improve it. The result, too, frequently was that he brought ruin upon himself and caused serious loss to others. Again, the Chancellor of the Exchequer gave his audience another illustration. His words were these— Gentlemen, how often do you usually in business transactions allow a man to renew a bill. The measure has been considered by five Governments, and been mentioned in seven Queen's Speeches. The question now is, Is there a serious proposal? All we can do is to step ourselves upon it. The matter will rest with the country. Whatever word we can speak— whatever act we can do is solemnly pledged, and long ago. It rests with that public of which you form an important part to determine what shall be the issue. We call upon you to say whether you are satisfied with this attempt for the seventh or eighth time to put off that which I shall best describe in Liverpool as a mere renewal of a Bill. Now, he would appeal to hon. Gentlemen opposite who were engaged in mercantile pursuits as to whether, in the first place, the renewal of a Bill did not create distrust. When, however, that Bill had been renewed seven or eight times was not all confidence lost in the parties connected with it? He would now make a few remarks as to the practical working of this Bill in Liverpool, and his reason for doing so was because Liverpool had been put forward as an illustration of what the working of the Reform Bill would be throughout England. Assuming that the Parliamentary Return was correct as far as Liverpool was concerned, the number of voters on the register of that borough was 20,618, and 22,526 votes were given at the last election. This apparently was a contradiction; but he apprehended that the party who made out the Return had made the total by adding together the votes polled for each of the three candidates. But, admitting the Return to be accurate, he protested against 20,618 being taken as the greatest number of voters who could vote in Liverpool. Every male occupier of a house was on the rate book, and might vote, as the law stood at present, if he chose to pay rates. Supposing they were all to do so, the number on the register would be 40,000 instead of 20,000. He would, however, give the Government and their Bill the benefit of a reduction of 10 per cent, in respect of those ratepayers who would not be qualified to vote owing to want of the proper length of residence. This would reduce the number to 36,000. Again, the Return showed that by reducing the qualification from £10 to £7, 15,917 additional voters would be admitted to the franchise. Well, if 10 per cent were deducted from these also for want of the residence qualification, the number of fresh voters would, in round numbers, be 14,500, making an aggregate of 50,500 voters. It must not be forgotten that that number did not include those who would be added by the lodger and the savings bank qualifications. The former would, according to the Government Return, let in only 2,000 voters; but the number of voters with the savings bank qualification it was impossible to estimate. At any rate, under this Bill the constituency of Liverpool would be nearer 60,000 than 50,000. Now, he wondered whether the Government had ever considered the expense attending an election with such a constituency? Everybody was aware that every 300 voters required a separate compartment at the polling place. It was easy to calculate, therefore, how many compartments would be required for between 50,000 and 60,000 voters. It would be necessary, of course, to have a deputy town clerk in every booth, and these deputy town clerks would have to be paid three guineas a day. Why, the hustings and the

incidental expenses alone would amount to between £2,000 and £3,000. With regard to the freemen, he had seen it stated that there were some 2,000 or 3,000 in Liverpool; that the votes of all might be had for a consideration, and that they had the power of turning an election. Now, he believed the Chancellor of the Exchequer was a freeman of Liverpool; at all events, the right hon. Gentleman's brother was, and the Return showed that only 312 of the freemen belonged to the working classes; so that if all their votes were to be purchased they could not influence the result of the election. For his own part, he did not hesitate to say that the freemen of Liverpool were as pure and as uncorrupted as the £10 householders. He was sorry to observe that the hon. Member for Birmingham (Mr. Bright) was not in his place, because that hon. Gentleman had upon more than one occasion undertaken to lecture the constituency of Liverpool on the election of its Members. In one of his rural speeches the hon. Gentleman had said that Liverpool had stultified itself by returning one Member to vote one way, and a second to vote another. At a meeting held at Liverpool he (Mr. Horsfall) had taken the opportunity of replying to that statement by saying that the hon. Member for Birmingham was perfectly correct in his view of the matter as to party questions, because on party questions he and his late Colleague (Mr. Ewart) had voted differently; but on every question of local interest, and on every question of commercial interest, his late Colleague and himself invariably voted on the same side. He further told the meeting that Liverpool was more consistent than Birmingham, as upon the most important commercial and political question of that day—the war in America—one hon. Member for Birmingham stoutly advocated the interests of the North, while the other as stoutly defended the interests of the South. However, the people of Liverpool had since thought proper to act upon the advice of the hon. Member for Birmingham, and they had accordingly returned two representatives who voted alike on every question. It might have been supposed that the hon. Member for Birmingham would have been now satisfied; but in December last, at Blackburn, the hon. Member made use of the following language:— But whether your election was a blunder or not, I have asked myself how it happens that there can possibly be in a populous manufacturing town a Tory party strong enough to return two Members to Parliament, and I find that in this county, which very ignorant people at head-quarters sometimes fancy to be very democratic, we have three great populations, each of which is represented by two Tory Members—the great commerciality of Liverpool and the great manufacturing boroughs of Preston and Blackburn, Now, if we did not know this to be the fact, we should scarcely believe it to be possible, for hardly anything can be more strange, hardly anything more discreditable, hardly anything which we can scarcely account for, than that these great manufacturing and industrial populations should permit themselves to be represented in the Imperial Parliament by Members of that party whose whole career has been one of permanent and virulent hostility to commerce. Having with his Colleague for many years been engaged in doing his utmost for the interests of commerce, he was much surprised to hear himself accused of permanent and virulent hostility to those interests. He supposed that the hon. Member for Birmingham knew what would be for the interest of Liverpool better than Liverpool itself did. The speech of the hon. Member reminded him of the case of an unfortunate man who was confined in an asylum, and who, on being asked why he was there, replied, "Oh, through a mere difference of opinion. I thought all the world was mad, and all the world thought I was mad." He protested against the hon. Gentleman being supposed to speak the opinions of Liverpool, or the opinions of England. What was the position occupied by the hon. Gentleman? He had been returned by the Liberal city of Manchester; but, when the inhabitants of that city had had some experience of his extreme views, he was rejected at a subsequent election by a majority of 3,000. Then he went to Birmingham, of which—that town being the great centre for the manufacture of firearms—he might be regarded as the most fitting representative. Yet even there he did not head the poll, but came in second. He (Mr. Horsfall) would now proceed to make one or two observations upon the general policy of the Bill before them. He did not intend to touch upon the question of the county franchise which he left to the county Members to deal with. In

dealing with the borough franchise he had endeavoured to show what would be the effect of the proposed Bill upon Liverpool, which had been selected by the Government to illustrate the working of the Bill. He did not look upon the franchise as a right, but as a trust for the benefit of the country, and in the selection of the trustees they must consider who were the best qualified to hold it. Although he thought that it would not be advisable to reduce the franchise below £10 in such towns as Liverpool, yet he was not prepared to say that if the subject of Reform had been fairly and fully considered, if the principle contained in the admirable Amendment of the noble Lord opposite had been carried out, and if the Old Whig party, or if hon. Members on that side of the House, had been consulted, he did not doubt that some compromise would have been come to, or some arrangement entered into, which would have been not only beneficial, but acceptable to the country. Cordially approving as he did of the Amendment, he had given it the support of his voice, and he should certainly give it the support of his vote.

Commons April 17, 1866

NEW COURTS OF JUSTICE.— QUESTION. – QUEEN'S UNIVERSITY (IRELAND).

MR. HORSFALL

said, he wished to ask Mr. Attorney General, Whether in the arrangements of the new Courts of Justice any provision has been contemplated for an increase in the number of Judges?

Commons June 1, 1866

QUESTION. - RAILWAYS CLAUSES BILL.

MR. HORSFALL

said, he would beg to ask the President of the Board of Trade, If he will state what are his intentions with regard to Clause 61, affecting terminal charges, which still appears in the amended Railways Clauses Bill?

Commons July 27, 1866

COMMITTEE. – REFORMATORY SCHOOLS

MR. HORSFALL

supported the Amendment. There was a strong feeling in Liverpool against too much interference on the part of the Government with the managers of these schools which had already done much mischief.

Commons February 14, 1867

QUESTION - SPAIN AND CHILE

MR. HORSFALL

asked the Secretary of State for Foreign Affairs, If he is aware whether Spain and Chile have accepted the mediation of the United States, or whether he is in possession of any information leading to the hope that they will do so?

Commons May 1, 1867

[BILL 83.] SECOND READING. - PUBLIC HOUSES, &c., REGULATION BILL.

MR. HORSFALL

said, he fully agreed in the propriety of the course which his hon. Friend (Mr. Graves) had adopted. He was himself satisfied with the statement which had been made by his hon. Colleague, and those who wished to have it confirmed by the Home Secretary were the best persons to put the question to him. It was on that assurance, in which he placed implicit faith, that he concurred with his hon. Colleague in the propriety of withdrawing the Bill. After the many unsuccessful attempts to legislate locally upon the question, he was much gratified to find that Her Majesty's Government intended to deal with it. He was convinced that no measure could be carried through the House and meet the approval of the country, unless introduced on the responsibility of the Government. He had some personal experience on this subject, for in 1863 he had, in conjunction with his late Colleague, introduced a measure which it was intended to confine to Liverpool. It was then urged against the Bill that it attempted to deal locally with what was in reality a national question, and it was thrown out by 16 votes. Tempted by the smallness of the majority, the Bill was subsequently re-introduced, but so decided was the expression of opinion in the House that it was withdrawn, without taking a division upon it. The right hon. Gentleman the Home Secretary was the proper authority to bring in a Bill upon this subject, and so strong was the feeling of the country in reference to the question that the right hon. Gentleman would, he believed, find no difficulty in passing his measure.

Commons May 15, 1867

SECOND READING. - SUNDAY TRADING BILL— [BILL 34.]

MR. HORSFALL

regretted that his hon. Friend (Sir Brook Bridges) should have lent the weight of his name to the Bill. He had no doubt the hon. Gentleman who introduced the Bill had truly represented the state of feeling in the place he represented (Lambeth); but in the borough which he (Mr. Horsfall) represented (Liverpool), he had no hesitation in saying that nine-tenths of the population were opposed to the measure, because they considered it to be in direct opposition to its title—namely, a Bill to amend the law for the sale of goods on the Sunday. The Bill did not amend the law, but it

made that legal which was now illegal. If the Bill had been confined to legislating upon works of piety, charity, and necessity, he would support it. There were laws in existence to meet every case alluded to by the hon. Member. The fact was this: what they required was a Bill to enable the constituted authorities to enforce the law as it stood at present. He therefore would support the Amendment that the Bill be read a second time that day six months.

Commons July 1, 1867

3 speeches — COMMITTEE. [PROGRESS JUNE 28.] - REPRESENTATION OF THE PEOPLE BILL.—AREA OF THE NEW BOROUGHES.

MR. HORSFALL

said, the object of his Amendment was that an additional Member should be given to each of the three largest towns—namely, Liverpool, Manchester, and Birmingham; and he thought he could, in a very few words, state a case which would, he hoped, induce the Committee to assent to that Amendment. According to the Census of 1861, Birmingham had 296,000 inhabitants, Manchester 357,000, and Liverpool 443,000. The population of Liverpool now exceeded 500,000, and he had no doubt that the population of Birmingham and Manchester had increased in an equal ratio. It had been suggested to him to contrast the case of Liverpool, returning two Members, with that of the City of London, returning four, not for the purpose of concurring with the proposition of the hon. Member for Maldon for depriving the City of London of two of its Members, but rather for the purpose of strengthening his argument. In 1821 the City of London had 124,000 inhabitants; in 1831 it had 122,000; in 1861 the number had decreased to 112,000; and he believed now it was considerably lower. Thus the City of London with 100,000 inhabitants returned four Members to Parliament, while Liverpool with a population of 500,000 returned but two Members. He should be told that merchants and others who formerly resided in London now resided in the country, and went to and from the City daily. But the same thing happened at Liverpool, and no doubt, also, at Birmingham and Manchester. So far, then, as to population, which the Chancellor of the Exchequer had well said must not alone be taken into account, but that property and intelligence must likewise be considered. Well, continuing the contrast between London and Liverpool, he found that the assessed property of London was £1,920,000, while that of Liverpool was £2,402,000, or nearly £500,000 in excess of that of London. The exports of British manufactured goods from London were, according to Parliamentary Returns, about £37,000,000, while those from Liverpool were £73,000,000. He could quote from other public documents, showing the great importance, not only of Liverpool, but of Manchester and Birmingham. So much for population and property. He now turned to the subject of intelligence, with which it was not quite so easy to deal. He was afraid there would be great difficulty in instituting a competitive examination to test that; but he ventured to say that, in point of intelligence, Birmingham, Manchester, and Liverpool stood at least as high as any other part of England. He believed, therefore, that, on the grounds of population, property, and intelligence, each of those three large towns had a claim to an additional Member. When the Motion of the hon. Member for Wick, for giving a third Member to six large boroughs, was before the House, he had not heard a word from his constituents on the subject, and he did not take any part in the debate beyond his vote. But since then a public meeting had been held at Liverpool, presided over by the Mayor, and in which gentlemen of every shade of politics took part. The meeting came to a unanimous resolution to forward a petition to that House, which he had had the honour to present, praying for two additional Members. He had been struck with some of the arguments used at that

meeting, and particularly by a statement made by one of the speakers on the occasion — a gentleman well known to many hon. Members opposite, who after quoting statistics relating to population and property, and referring to the Income Tax, maintained that Liverpool, according to that, ought to have twenty-one Members; and that the average of the whole was that, instead of two, it should have fourteen Members. Now, he made no such claim on behalf of Liverpool, and, though he only asked for one additional Member for it in his Amendment, he thought it was fairly entitled to two. At the meeting it was further urged that some consideration was due to the Members for Liverpool, who had very onerous duties to discharge—duties, perhaps, more onerous than those of any other two Members of that House. But neither he nor his hon. Colleague would put that argument forward; indeed, he was content to take his stand on the three simple grounds stated by the Chancellor of the Exchequer—namely, population, property, and intelligence; and he asked the House to concede to those three large towns that share in the representation of the country which they certainly had not now, but to which he respectfully submitted they were fairly and fully entitled.

New Clause— (Certain Boroughs to return three Members.) From and after the end of this present Parliament, the several Boroughs named in Schedule (G) to this Act, each having a population (according to the last Census of one thousand eight hundred and sixty-one) of upwards of two hundred and fifty thousand, shall respectively return three Members to serve in Parliament,—(Mr. Horsfall,)—brought up, and read the first time.

MR. HORSFALL

said, he had no such object in view as that suggested by the right hon. Gentleman.

MR. HORSFALL

said, that after what had fallen from the Chancellor of the Exchequer, he would not put the Committee to the trouble of dividing. He would withdraw the clause. ["No, no!"]

Commons August 1, 1867

2 speeches — IRISH RAILWAYS.—QUESTION.

MR. HORSFALL

, as one of the Members of the Royal Commission, protested against the course which the right hon. Gentleman had taken upon himself, in attacking that Commission.

MR. HORSFALL

said, the right hon. Member had attacked the Report of the Commission in a most unwarrantable manner. The right hon. Gentleman ought to have had the common courtesy to have intimated to the Members that he intended to bring their Report under the consideration of the House; and when this was done in accordance with the usages of the House, he (Mr. Horsfall) would be fully prepared to defend that Report. The Royal Commission sat for nearly two years; but the right hon. Gentleman, although he attended the investigation for a portion only of two days, succeeded in getting his

Report adopted as the Report of the dissentient portion of the Committee. He hoped the day was very far off when the Government should take charge of Irish railways. When they did so, they would confer on Ireland, not a boon, but the very reverse.

Commons March 18, 1868

[BILL 12.] SECOND READING. - SALE OF LIQUORS ON SUNDAY BILL.

MR. HORSFALL

said, the statistics which had been adduced with regard to Liverpool were not to be relied on for purposes of comparison. Liverpool possessed an excellent and highly efficient police force, which reported every case of drunkenness, and even minute cases, such as in other places would be passed by. There was undoubtedly drunkenness enough in the locality; but it should be remembered that there was a large floating population of 20,000, principally seamen and foreigners, to aid in swelling the Returns. To the system of free trade in licenses, which had been opposed by large masses of the population, many of the evils existing in Liverpool were to be ascribed. It had been ascertained by a house-to-house canvass of 60,000 householders that 91 per cent of the inhabitants were in favour of the entire closing of the public-houses on Sunday. The question had been represented by the hon. Gentleman opposite (Mr. T. Hughes) as one entirely between the licensed victuallers and ministers of religion; but in Liverpool that was not so; 700 of the licensed victuallers had given their signatures in favour of closing, and 150 of them, he believed, now closed voluntarily upon Sunday. The great objection which he felt to the Bill was the exception made in favour of the metropolitan boroughs. There ought not to be one law for the metropolis and another for the provinces. Unless the Bill were to be referred to a Select Committee, he should have great difficulty in voting for the second reading.

Commons March 27, 1868

RESOLUTION. - COMPULSORY PILOTAGE.

MR. HORSFALL

said, he had listened with great interest, but with still greater surprise, to the speech of the hon. Member for Sunderland. He laid down two propositions, which he asked the House to affirm—first, "that, in the opinion of this House, measures ought to be taken for early abolition of compulsory pilotage;" and, secondly, that measures should also be taken "for requiring pilotage authorities to examine and licence all competent persons applying to them for the purpose of qualifying to act as pilots." To his surprise, the hon. Gentleman stated that he founded these propositions upon the Report of the Committee of 1860. He (Mr. Horsfall) had the honour of being a Member of that Committee, under the presidency of his right hon. Friend the Member for Ashton (Mr. Milner Gibson). He attended every meeting of the Committee, and he certainly was considerably surprised to hear that statement. But the hon. Gentleman himself answered his own propositions, and showed clearly that they were not in accordance with the Report of the Committee, because he read a portion of that Report which distinctly stated on the proposition that there should be one system of

voluntary pilotage— As regards the main question of voluntary or compulsory pilotage, your Committee, after weighing most attentively all the arguments upon the subject, have arrived at the conclusion that a system of voluntary pilotage might be safely established in most parts of the Empire. Observe! "Most parts of the Empire"—which was a totally different thing from that represented by the hon. Member. The hon. Gentleman endeavoured to support his argument by the evidence given before the Committee; and what was the evidence that he gave us? He (Mr. Candlish) gave us the evidence of Mr. Hudson, of Sunderland, and of Captain Sullivan; but their evidence was simply Sunderland versus London, Liverpool, and Glasgow. Mr. Wigram, Mr. Duncan Dunbar, Mr. Marshall, Mr. Green, Mr. Gilman, and others, all well-known as the largest shipowners of London, and Mr. Anderson, Chairman of the Peninsular and Oriental Company, all gave evidence before the Committee in approval of a system of compulsory pilotage. The great mass of the evidence on the part of the shipowners was decidedly in favour of compulsory pilotage. But he did not look upon it as a shipowner's question only. There was a vast amount of property shipped by manufacturers in British vessels; there were also a vast number of passengers who went by these vessels; and although the shipowners might save a trifle by not being required compulsorily to take a pilot, it would be at the risk of the lives of the passengers and the safety of a very large amount of property. The hon. Gentleman spoke in reference to the coasters. He said that the coasters go free of pilotage, and he looked upon that fact as though it were intended to favour the coasting trade in preference to the foreign trade. He (Mr. Horsfall) thought that a more charitable construction might be put upon the matter; and the construction which he put upon it was that as the captains of coasters were going constantly in and out, they knew the character of the waters as well as the pilots themselves. The latter part of the hon. Member's Motion declared that it was necessary to take measures for requiring pilotage authorities to examine and licence all competent persons applying to them for the purpose of qualifying to act as pilots. But what was the fact now? He (Mr. Horsfall) spoke only with regard to Liverpool, where, since 1860, every master and mate who had come forward to be examined (with the exception of two who had not passed the examination) had been licenced. He had no wish to find fault with the hon. Member for having brought forward this question. He quite admitted that there were certain matters of detail which required close examination by the Board of Trade. But he objected to this Resolution on the principle that it offered to the shipowners and the local authorities—who were much better judges than this House—a system which they did not want. He could not therefore consent to this Resolution, and if the hon. Gentleman pressed it, he should feel it his duty to divide the House on the subject.

Commons April 2, 1868

2 speeches — ADJOURNED DEBATE. - ESTABLISHED CHURCH (IRELAND).

MR. HORSFALL

remarked that the right hon. Gentleman the Member for South Lancashire had carefully abstained, in the speech with which he had introduced these Resolutions, from speaking of the United Church of England and Ireland. The right hon. Gentleman had throughout spoken of the Irish Church, or the Anglican communion in Ireland. Now, in his judgment, things ought to be called by their proper names, and therefore he called the Church the United Church of England and Ireland. This was a matter of considerable importance; because if merely the "Irish Church" were spoken of, and legislation went according to numbers, there could be no doubt that the Roman Catholics of Ireland formed the large majority of the population, whereas, if the term "United Church of England and

Ireland" were used, it was equally certain that, in the two countries taken together, there was an overwhelming preponderance of Protestants. As to the object of bringing forward these Resolutions at the present juncture, he would trouble the House with a short extract from a letter addressed by Earl Grey to the hon. Member for Birmingham (Mr. Bright). Earl Grey said— We hear it openly avowed that this move was wanted in Older to re-unite the Liberal party. Those who compose that party are, it is said, so divided in their opinions that something of this sort was absolutely necessary to bring them together, and that a flag has thus been raised under which they will all rally. I would venture to ask you whether you really think that this is justifiable? Is it right that Ireland should wantonly be made the battle-field of parties? A large portion of the speech of the right hon. Gentleman the Member for South Lancashire consisted of a defence of his policy during the last five-and-twenty years: and he quoted Burke, Pitt, and others in support of that policy. He, however, would quote an authority which, in his mind, was of more weight than any of those which had been cited—he meant the right hon. Gentleman himself. He did not intend to quote from Hansard, because speeches were often prepared in haste, and delivered without due deliberation; but from the right hon. Gentleman's treatise on The State in its Relations with the Church, published in the year 1838. The right hon. Gentleman, it would almost seem, must have had a prophetic vision of what was coming to pass, for the words of the introduction to the Work were perfectly applicable to the events of the present day. The right hon. Gentleman said— Probably there never was a time in the history of our country when the connection between the Church and the State was threatened from quarters so manifold and various as at present. The infidel, with sagacious instinct, following out all that tends to the general diminution of religious influences; the Romanist, who, in order to erect his own structure of faith and discipline, aims first at the demolition of every other, and who seems in general to deem us so involved in fatal error, that we must pass through the zero of national infidelity in order to arrive at truth; the professor of political economy, who considers this connection as a visionary theory, only mischievously known by its tendency, when obtruded into practice, to interfere with what he deems the substantial interests of mankind; the democrat, who naturally desires to strip Government of all its highest duties, and leave to it the performance of no more than mechanical functions; of all these it was, perhaps, on the whole, to be expected that they should unite upon any seemingly favourable occasion to press for their common object; and they have so united. The following passage was still stronger, and the argument comprised in it was, in his opinion, unanswerable:— A common form of faith binds the Irish Protestants to ourselves, while they, upon the other hand, are fast linked to Ireland: and thus they supply the most natural bond of connection between the countries. But if England, by overthrowing their Church, should weaken their moral position, they would be no longer able—perhaps no longer willing—to counteract the desires of the majority, tending, under the direction of their leaders—however, by a wise policy, revocable from that fatal course—to what is termed national independence—Or, in other words, the repeal of the Union. The right hon. Gentleman failed entirely in his speech to show wherein the necessity existed for our separation from the Protestants of Ireland. He would not impute to the right hon. Gentleman that he had any doubts as to the truth of the Protestant religion, though he was afraid he had been too ready to believe some of the exaggerated statements which had been put forward on the subject of the Irish Church. No doubt the right hon. Gentleman was aware that there were two classes of parishes in Ireland — namely, civil parishes and ecclesiastical parishes. The number of civil parishes was 2,428; of ecclesiastical parishes, 1,510. The civil parishes sometimes comprised three, four, five, or six ecclesiastical parishes. Now, it had been stated that there were no fewer than 199 parishes which did not contain a single Protestant. This was no doubt true as regarded civil parishes; but there was but one ecclesiastical parish which did not contain a single Protestant, and even that parish contained a church which was attended by Protestants from the adjoining parishes. Then the revenues of the Church had been incorrectly stated. The net revenue of the Bishops and clergy in Ireland was £447,670; the number of Bishops being twelve, of incumbents,

1,510, and of curates 622—making a total of 2,144. Taking, therefore, the incumbents alone, and the net income of the Church payable to incumbents, and dividing it among them, the result would be that each incumbent would receive a stipend of £259 6s. 8d. The number of members of the Established Church was 693,357, so that on the average each incumbent had charge of 452 souls. Some parishes extended for a distance of twenty, thirty, or even sixty miles; some contained between 40,000 and 50,000 acres, and some even 200,000; acres. The right hon. Gentleman had stated, he knew not on what authority, that there were two parishes in Ireland in each of which there were only two Protestants.

MR. HORSFALL

said, he had not yet received the detailed information he had expected on this point, and therefore he would not further refer to it. To the objection of the right hon. Member for Calne (Mr. Lowe) that the Church of England was a missionary Church, he replied that the Church of Rome was also a missionary Church, and in support of his statement he would mention the case of a Roman Catholic priest who was sent to establish a Church at Bodmin, although there were no Roman Catholics in the place. The project in that instance failed, and the Church was now shut up. Looking at the views propounded by the right hon. Gentleman the Member for South Lancashire, and to the probability of his being again Chancellor of the Exchequer, he almost feared the right hon. Gentleman might, at some future period, propose to take the property of the Church for supplying the exigencies of the State. We had seen in other countries what had followed the disendowment of Churches. They hardly knew yet what would be the effect of the confiscation of Church property in Italy; but they knew that many years ago the same thing occurred in France. The Government of that country said on that occasion, "We will take care to provide for the clergy—if we confiscate their property we will make provision for them." What provision did they make? He did not know whether they gave them churches and residences; but as regarded incomes, in the case of large parishes the sum allowed was £80 a year, in middling parishes £60, and in small parishes £48. Would that be the provision made for clergymen of the Established Church in Ireland when it was disendowed? He did not see how the principle of disendowment could be carried out in Ireland, unless they also adopted it in Wales, where the Established Church was in a minority. When the Church went in Ireland and in Wales we might tremble then for the Church of England. The right hon. Gentleman and the hon. Member opposite had done justice to the labours of the Irish clergy; and there was a letter in *The Times* of to-day from the Knight of Kerry, in which he said— Assuming absenteeism to be an evil, and believing that one of the most real and tangible wants of Ireland is that of resident men of education and position, especially in the more remote districts, it is well to remember that, putting aside for a Moment the religious aspect of the case, you have, as matters stand now, in the Protestant clergymen an educated gentleman, with a certain income, residing in every parish in Ireland. Those who are acquainted with the poorer and less civilized parts of this country, and who remember the sad years of the famine, will bear me out when I say that it would not be easy to exaggerate the amount of good done at that trying time by the Protestant clergy. He, too, should be sorry to see the poor of Ireland deprived of the services of the Protestant clergy. It was a very common thing for the poor to remit their money to the savings banks through the medium of Protestant clergymen. He trusted the Government would accept the challenge thrown out to them by the right hon. Gentleman the Member for South Lancashire. He would ask them, "Do you mean to take your stand on the Irish Church? Then do so, and go to the country upon that question." He had had the honour of presenting a petition signed by 10,000 inhabitants of Liverpool, and another signed by eighty-five clergymen in that town against the disestablishment of that Church, and he knew that in various parts of the country a very strong feeling existed against such a policy. He believed that if the Government went to the country, either now or in January, it would support them. The Home

Secretary had quoted from a speech of Sir James Graham in 1835, and he (Mr. Horsfall) had, as a stranger, listened to a speech of his upon the same subject, and he would make a part of that speech his own. That right hon. Gentleman said— If the Irish Church is doomed to fall, happier is the man who shall perish in its ruins than he who survives the fall.

Commons April 23, 1868

OBSERVATIONS. - IMPORTATION OF FOREIGN CATTLE.

MR. HORSFALL

said, he regretted that he could not comply with the request made by the noble Lord. The restrictions which had been imposed entailed a serious loss upon the importers, butchers, and consumers of meat, and he therefore felt bound to press his Motion

Commons May 12, 1868

QUESTION. - ROYAL COMMISSION ON RAILWAYS.

MR. HORSFALL

said, he wished to ask the Vice President of the Board of Trade, If the Report of the Royal Commission on Railways has received the consideration of Her Majesty's Government; and whether they are prepared to introduce legislative measures founded thereon?

Commons May 12, 1868

[BILL 94.] COMMITTEE. - COUNTY COURTS (ADMIRALTY JURISDICTION) (re-committed) BILL.

MR. HORSFALL

said, that the Bill in its present form was not acceptable to the commercial community of Liverpool; but, after the explanation of the Solicitor General, he would not object to considering it in Committee, with the hope that the Amendment of his hon. Colleague (Mr. Graves), conferring the requisite jurisdiction on the Passage Court of Liverpool, might be agreed to.

Commons June 15, 1868

[BILL 141.] COMMITTEE. - PETROLEUM ACT AMENDMENT (re-committed) BILL.

MR. HORSFALL

said, he hoped the Under Secretary would not consent either to withdraw the Bill or to refer it to a Select Committee. He was quite satisfied that the point of 100 which had been agreed on would be a sufficient protection to the public.

Commons June 18, 1868

QUESTION. - ADMISSION OF FOREIGN CATTLE.

MR. HORSFALL

said, seeing that the Order in Council for the admission of Foreign Cattle into certain Ports in this Country specified that such Order was to continue in force until "the end of July, and no longer," he would beg to ask the Vice President of the Council, Whether it is the intention of Her Majesty's Government to renew such Order—say for twelve months, or at least until the assembly of the new Parliament, except, of course, in the event of any case of the Cattle Disease arising?

Commons June 18, 1868

SECOND READING—ADJOURNED DEBATE. - ELECTRIC TELEGRAPHS BILL— [BILL 82.]

MR. HORSFALL

said, he hoped that the Chancellor of the Exchequer would not agree to any arrangement with regard to this Bill until after its second reading. The subject was one of great importance to the commercial interest of the country, and any delay with regard to it would be regarded with great jealousy.

Commons July 7, 1868

SUPPLY—CIVIL SERVICE ESTIMATES.- POST OFFICE PACKET SERVICE.

MR. HORSFALL

said, the principle had been frequently laid down in that House that mail packet contracts ought to be thrown open to public competition. But he had heard it stated that that rule had not been followed in the case of the contract for the West India mail service, and he should be glad to receive

some explanation upon that subject.
