JOURNALS

OF THE

HOUSE OF LORDS.

BRITISH HISTORY ONLINE

Anno 1º Guilielmi Quarti.

DE MORAS, 14º Septemberis 1880, Annoque Regni
Serenissimi Domini Nostrri Guilielmi Quarti, Dei
Gratia, Britanniarum Regina, Fidei Defensorum, Primo in
Superiorum Donum Parlamentorum Britanniarum apud West-
minster, convocane, Domini, quorum Numeris subscribuntur, et presentes fuerunt:

De. Lyndhurst,
Cancellarius.

Comes Rutland,
C. J. B.

De. Ellenborough.

The King’s Most Excellent Majesty having by His Writ of Summons, bearing Date at St. James’s the Twenty-
fourth Day of July last, appointed His Parliament to open and begin this Day:

The Lord Chancellor declared in the House, “That
His Majesty had been pleased to cause a Writ to be
issued under the Great Seal for Proroguing the Parlia-
ment.”

And the same was read by the Clerk as follows; (cvid.)

“WILLIAM R.

William the Fourth, by the Grace of God, of the
United Kingdom of Great Britain and Ireland, King,
Defender of the Faith; To Our well-beloved and
faithful the Prelates, Nobles and Peers of Our said
United Kingdom of Great Britain and Ireland, and to
Our beloved and faithful the Knights, Citizens and
Burgesses, and Commissioners for Shires and Burghs
of Our said United Kingdom, called and chosen to
Our Parliament to be begun and held at Our City of
Westminster on the Fourteenth Day of the Month of
September next ensuing, and to every of you,
Greeting: Whereas We, for certain serious and urgent
Affairs concerning Us, the State and Defence of Our
said United Kingdom of Great Britain and Ireland,
and the Church, did ordain Us said Parliament to be
held at the Day and Place aforesaid, and did com-
mand you by Our several Writs to be present at the
City and Day aforesaid, to treat, deliberate and conclude
about those Things which in Our said Parliament then
and there should be proposed and treated of; Never-
theless, for certain Causes and Considerations Us at
this Time especially moving, We have thought fit that
Our said Parliament be Prorogued unto Tuesday the
Twenty-sixth Day of October next ensuing, so that
 neither you nor any of you should be held or obliged
to appear on the said Fourteenth Day of September at
the aforesaid City: We also will that you and every of
you be wholly discharged as to Us therefore, con-
stantly standing and by the Tenor of these Presents strictly
requiring you and every of you, and all others whom
Vct. LIII.

this may concern, that you and every of you do per-
sonally appear and be present on the said Twenty-
sixth Day of October at Our said City of Westminster,
’to treat, do act and conclude upon those Things which
in Our said Parliament by the Common Council of Our
said United Kingdom (by God’s Assistance) shall happen
to be ordained.

Witnesse Ourself at Westminster, the Twenty-sixth
Day of August, in the First Year of Our Reign.

By the King Himself, signed with His own Hand.

WITNESS,”

The Deputy Clerk of the Crown in Chancery delivered
this Day, A Certificate of the Names of the Sixteen Peers
chosen, summoned and certificated to sit and vote in this
House for that Part of Great Britain called Scotland; who
attending at the Table with the original Return, the same
was compared with the said Certificate, and found to
agree therewith, and is as follows; (cvid.)

“May it please your Lordships,

These are the Names of the Sixteen Peers, who,
according to the Act in that Case made and provided,
are chosen, summoned and certificated to be the Members
of the House of Peers, for and on the Behalf of that
Part of the United Kingdom of Great Britain and
Ireland called Scotland, in the Parliament of the said
United Kingdom, which is to meet on Tuesday the
Fifteenth Day of December 1880.

The Marquesses of Queensberry and

Viscounts of Arundel and

Viscounts of Strathallen.

Lords Forbes.

Balfour.

Gros.

Sinclair.

Colville.

Nairne and

Beauchamp.

Witness my Hand, this Thirteenth Day of September
1880.”

The Deputy Clerk of the Crown in Chancery.”

© University of London and the History of Parliament Trust, 2006
British History Online
http://www.british-history.ac.uk/
Their Lordships, or any Five of them, to meet To-morrow, at Four o’Clock in the Afternoon, in the Prince’s Lodging, near the House of Peers; and to adjourn as they please.

The House was adjourned during Pleasure.

The House was resumed by The Lord Chancellor.

The Order of the Day being read for the Third Reading of the Bill, intitled, "An Act to amend and repeal an Act regulating the Receipt and Future Appropriation of Fees and Emoluments receivable by Officers of the Superior Courts of Common Law."

The said Bill was accordingly read the Third Time.

Then it was moved, in purs 8, Line 82, to leave out "(Fifty)" and insert "(Thirty)"

Which being objected to;

The Question was put, "Whether this Bill shall stand Part of the Bill?"

It was resolved in the Affirmative.

The Question was put, "Whether this Bill shall pass?"

It was resolved in the Affirmative.

Message to H.C. that the Lords have agreed to it.

A Message was sent to the House of Commons, by

Mr. Turton and Mr. Roswell;

To acquaint them, That the Lords have agreed to the said Bill, without any Amendment.

The Order of the Day being read for the Third Reading of the Bill, intitled, "An Act for amending and making more effectual the Laws concerning Turnpike Roads in Scotland."

Ordered, That the said Bill be read the Third Time To-morrow.

Upon reading the Petition of the Gentry, Clergy, Freemen, and Inhabitants of Stafford, Middlesex, and the Vicinity, whose Names are thereto subscribed; taking notice of a Bill depending in this House, intitled, "An Act to amend the Representation of the People in England and Wales, and making peace and settling the Lords-" the same to pass into a Law without such Modifications as will be contrary to Justice and Danger, and remove from the said Bill every Objection which may be at variance with sound and acknowledged Principles of Legislation, and the Petitions being confirmed that the Rights and Privileges of all Classes of the Community depend upon the Stability of those ancient Institutions by which this Country has been so long distinguished;" it was Ordered, That the said Petition do lie on the Table.

Upon reading the Petition of the Clergymen, Magistrates, Merchants, and other Inhabitants of the Town and Neighbourhood of Belfast, in Ireland, whose Names are thereto subscribed; taking notice of the late mentioned Bill, of setting their Lordships "to reject it to the said Bill, and in its Place to introduce another calculated to effect a true Reform in the State of the Representation, by extending the Right of Franchise to Men really possessed of Chattel Property sufficient to enable them to act as becomes free Agents and independent Members of Society;" and also praying their Lordships "to establish some rational Criterion, similar to the registering of Freethrows, by which the actual Possession of such Property may be clearly and manifestly known; so that their Lordships will still so plan the wished-for Reform Bill, that as populous and commercial Towns may be enabled to send Representatives to the Parliament."

It is Ordered, That the said Petition do lie on the Table.

Upon reading the Petition of William Aitken Turner, Respondent in a Cause depending in this House, to which Mrs. Catherine Macdonald, or M’Toth, is Appellant; setting forth, That upon the 8th Day of June last a Petition was presented to your Lordships by the said Appellant, complaining of a Judgment of the Court of Session in Scotland, dated the 18th Day of February last, applying a Judgment of their Lordships "in an Appeal between the same Parties in so far only as the said Judgment of the Court of Session "found no Expenses due to the Appellant:" That as this "Appeal was entirely to the Lords of Appeal, and does not constitute the "Merits of the Cause, the Respondent humbly submits that it cannot be sustained according to the Princi "ples of Law, because such Expenses, by the terms of "their Lordships will be pleased to dismiss the said "Appeal, with Costs;"

It is Ordered, That the said Petition be referred to the Committee appointed to consider of the former Print of the Appellants and Respondents Cases, now depending in this House in Matters of Appeals and Writs of Error, have not been delivered pursuant to the Standing Orders of this House.

The House proceeded to take into Consideration the Amendments made by the Commons to the Bill, intitled, "An Act to prohibit the Payment, in certain Trades, of Wages in Goods, or otherwise than in the current Coin of the Realm;" and to direct a Writ of Summons to Parliament to "issue to the Petitioner accordingly;" together with His Majesty’s Reference thereof to this House,

Which Petition and Reference were read by the Clerk, and are as follows (sic):

"To The King’s Most Excellent Majesty,

The humble Petition of John Hume, of Roosberry Place, Dalston, Hackney, in the County of Middlesex,Require;

Sheweth;

That Sir Patrick Hume, Lord Chancellor of Scotland, was, in the Year 1799, created Lord Polwarth by King William and Queen Mary, and by his Letters Patent, as Lord Politicks, dated at Kensington the 26th Day of April 1797, he was raised to the Dignity of Earl of Marchmont. The Patent is in the following Terms, namely:

"Guillemus De Gratia & fisci comitissimo et
creasset sicur per hanc nostras patentes letas
inscriptiones et cromati: omnium Pa
"regnante, servandam, et conservandam, et
"in heredis et succursibus suis, sine humana
"Marchmont Vicomentum de Bleininerie

Dominium Polwarth de Polwarth Redhares,

possidet et sedet, sine humana, et capiendo

dictato Patrici Domini Polwarth ejusq.

hereditem mascula obsequiisque omnium tem

nove futura italione dignitas ordinem gra

sum et bellicos Comites et Vicomentum caus

universas et singularis praegregio praeminenti

precedentis privilegii libertatem et immuni

Maurantia e veteribus suis, et quosque ad

titulus hono grae et dignitates per praemissas

inuantur et insigniis dictum Patriarch

Dominium Polwarth episcopi hancia, et

Comites de Marchmont Vicomenti de

Bleininerie et Dominus Polwarth Redhares

in Graebian onam tempeo futuris significacio

et nove futuras.

That Patrick Hume the First Earl of Marchmont died in the Year 1779, and was succeeded by his Son

James, who died in the Second Earl, who died in the Year 1797, by whose death the said Peerage became void, and the said Peerage reversion to the nearest Heir Male of the

collateral Line, according to the Course of Descent by the Law of Scotland.

That
"That Your Petitioner is that Ever Maike, insomman as
that he is Son and Heir of James Hume, Son and heir of
William Hume, Son and Heir of Andrew Hume,
elder surviving Brother of Robert Hume, who was Son
of George Hume, Third Son of Sir Patrick Hume,
Hume, Grandfather of Patrick the First Earl of March-
mont; and insomman at the Issue of Robert has failed,
and that there remains no Male Issue of Sir Patrick
Hume, eldest Brother to the said George and Father
of the First Earl of Marchmont; and insomman as the next
elder Brother of George died without Issue; and conse-
cquently that Your Petitioner is entitled to the Scottis
Peerage of Marchmont, and the other Dignities, in Terms
of the above-quoted Patent.

"Your Petitioner therefore humbly prays, That
Your Majesty will be graciously pleased to
declare that Your Petitioner is entitled to the
said Peerage of Marchmont, and the other
Titles and Honours which were enjoyed by
Hugh, Second Earl of Marchmont, at the Time of his
Death in the Year 1794, under the Patent
aforesaid, and to direct a Writ of Summons to
Parliament to issue to Your Petitioner so
condignly.

"And Your Petitioner shall rate pray,
John Hume.

Haddington, 4th October 1831.

"His Majesty, being moved upon this Petition, is
graciously pleased to refer the same to the Treasury of
Public Works in Ireland; and to require the House to
examine the

Allegations as to; so as to relate what to the Petitioner's
Title therein mentioned, and to inform His Majesty how
the same shall appear to Your Lordships,

Treasurers,"

Ordered, That the said Petition, with His Majesty's Reference thereto to the House, be referred to the Con-
sideration of the Lords Committee for Privileges; whose
Lordships having considered thereof, and heard such
Persons concerning the same as they shall think fit, are to
report their Opinion thereupon to the House.

Public Works (Ireland)
Bill reported.

The House (according to Order) was adjourned during Pleasure, and put into a Committee upon the Bill,
intituled, "An Act for the Extension and Promotion of
Public Works in Ireland;"

After some time, the House was resumed:
And The Earl of Shrewsbury reported from the Com-
mittee, That they had gone through the Bill, and
Direct him to report the same to the House, without
any Amendment.

Order for P.:
Ordered, That the said Bill be read the Third Time on
Monday next.

Reform (England)
Bill debated in 24 Hours.

The Order of the Day being read for resuming the
adjourned Debate on the Motion made on Monday last,
That the Bill, intituled, "An Act to amend the Repre-
sentation of the People in England and Wales," he now
read a Second Time; and on the proposed Amend-
ment, to leave out ("now") and insert ("this Day Six
Months") and for the Lords to be summoned; The
Debate was accordingly adjourned.

After long Debate,

Ordered, That the further Debate on the said Motion and Amendment be adjourned till Tomorrow; and that
the Lords be summoned.

Embank-
ment (Ire-
land) Bill
Ordered, That the Bill, intituled, "An Act to empower
Landed Proprietors in Ireland to sink, embank and
prevent Drowning in Rivers," be read a Second Time
Tomorrow.

It was moved, That the Order made this Day, That
of the Cause wherein Henry Morris is Appellant, and
Charles Keene, and others, are Respondents, be further
enjoined by Counsel at the Bar Tomorrow, be now
read,
The same was accordingly read by the Clerk.

Ordered, That the said Order be discharged.

Dissolution of
Hunting Sub.

Ordered, That the Hearing of the Cause wherein
Jennings Patrick Macnee Esquire is Appellant, and
Catherine Hume and Edward Macnee are Respondents,
which stands appointed for Tomorrow, be put off to
Saturday next, at One O'clock.

Dominus Cancellarius declaravit præsentem Parliamentum Aliums
continuandum esse usque ad et in diem Veneris, legitimum diem post octavum Octobris, host unamce Aure, Domini sic determinationem.

Die Veneris, 7 Octobris 1831.

DOMINI tam Spirituales quam Temporales presents intersit.

Archbishop Cantuar. Dr. Brougham & Vaux. Castlereagh.

