SPEECH ON LITERARY PROPERTY DELIVERED IN THE HOUSE OF COMMONS, 18TH MAY, 1837 pdf

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*Speech [Of Sergeant Talfourd] on Literary Property Delivered in the House of Commons on the 18th of May, [Thomas Noon Talfourd] on www.enganchecubano.com *FREE* shipping on qualifying offers. This is a reproduction of a book published before*

Meisel Parliamentary History, Vol. Within the conventions of 19th-century public decorum, humour served as an effective means for some politicians to deliver personal insults to their opponents. This article examines the nature of the personal attacks made by Disraeli and Palmerston on each other between and , and describes how their styles of humorous insult were different but equally effective. Analysis of their political contest sheds new light on the careers of the two men, while also providing the basis for broader considerations about the changing nature and functions of humour in political discourse from the 18th to the 20th centuries. Palmerston; Disraeli; house of commons; insults; humour 1. Introduction Parliamentary politics is by definition adversarial, and the customs not to mention the configuration of the house of commons have grown up around this principle. In debates, political differences are regularly acted out in personalised terms as contests between the principal representatives of government and opposition. The insults that may pass during such exchanges are not simply a rhetorical technique of parliamentary politics, though on one level they are certainly that. Such insults can become personal acts of aggression between the antagonists in debate who in the moment embody their respective political positions. In this way, the practices of humour and insult are closely linked in parliamentary discourse. Thomas Bouchet et al. Dijon, , 33â€" A much earlier version of this article was also discussed in the Columbia University Seminar on British History in Studies of humour and of insults tend to be either unanalytically anthological or abstractly theoretical. By analysing the particular case of how humour and insults were employed by two notable if hardly typical individuals within a formalised setting during a specific historical period, it is possible to shed new light, not only on the important political careers of the protagonists, but also on the development over time of social conventions of humour in Britain, and on aspects of 19th-century parliamentary per- formance. To this end, I begin with a discussion of how, over time, insults have been understood and dealt with in the Commons. This is followed by a description of the ways in which both Disraeli and Palmerston made use of humour in the political arena. I turn next to a close examination of instances in which Disraeli and Palmerston clashed in the house of commons, and how they attempted to insult each other using humorous language. Finally, I evaluate the significance of the contest between Palmerston and Disraeli within a broader historical, political, and cultural frame. The Practice of Parliamentary Insults The tradition of parliamentary insult in Britain is a long and lively one. Speaker ought to suppress. It is impossible to lay down specific rules on this point, or to declare before-hand what expressions are or are not contrary to order; so much depends on the tone, and manner, and intentions of the person speaking: Hobbes and Civil Science Cambridge, , â€" The Cultivation of Hatred New York, , ch. Meisel speaking had received from the person he alludes to: The debates were as coarse and scurrilous as the press. Commentators have occasionally wondered whether developments like the televising of proceedings or the large influx of women MPs in might change the tone of debates, but little if any alteration has been observed. On the other hand, they have let pass expressions like: A New Edition with Additions 4 vols, , ii, The House of Commons, â€", ed. Thorne 5 vols, , i, â€"2. But Victorian reformers also tended to characterise 18th-century manners and conduct as coarse and lax. Britain â€" Cambridge, , 5. Laing does not indicate when these insults were voiced or under what circumstances. I am grateful to Paul Seward for providing clarification on this point. But if insulting language has been a constant presence in the Commons, it is also true that the character of parliamentary discourse reflects changes in the wider political culture of the times. Erskine May claimed that, in the years following the Reform Bill crisis of â€"2, a discernable change occurred in the tone of parliamentary deliberations: The weapons of debate have been as keen and trenchant as ever: A Study of its History and Present Form 3 vols, , iii, 61, 62 n. Disraeli and Palmerston as Parliamentary Humorists As Harry

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Furniss, the brilliant political caricaturist of the later 19th century, observed: Disraeli is by far the better-known figure in this respect: He was like the conjurer on a platform, whose audience with open mouths awaited the next trick. The Leslie Stephen Lecture, Cambridge, , A Biography New York, , â€" For a brief summary drawing principally on Monypenny and Buckle, see Leon A. From the perspective of political performance, it is a particularly revealing contest because, unlike Peel and Gladstone, Palmerston had a public sense of humour and was, therefore, a very different kind of opponent for Disraeli. As Karl Marx wrote in Swartz and Marvin Swartz New York, , Steele, Palmerston and Liberalism, â€" Cambridge, , 9. Lester Hutchinson New York, , Meisel whom he happened to address. If the House seemed in a humour for mere nonsense, then Lord Palmerston reveled in mere nonsense. When argument failed, he employed broad, rough English satire. He knows exactly what will win a cheer and what ought to be avoided as calculated to provoke laughter in an assembly where appreciation of what is elevated in sentiment is by no means common. As one writer recalled: With Selections from his Speeches and Correspondence 2 vols, , ii, â€" Fielding Oxford, , , And depending on the requirements of the moment, he could direct his humorous abilities in other ways. As John Morley wrote: But to lose the game was intolerable, and it was noticed that with him the next best thing to success was quick retaliation on a victorious adversary. He has given us a display, part tragedy, part comedy, and I wish I could encourage him by stating that he sustained each portion with equal success. Everybody knows that he is an excellent joker â€" and while he confines himself to the light and comic strain, he makes himself agreeable to everybody; but he is not equally successful in the tragic strain; and if I may be allowed to do so, I should recommend him in future to stick to farce. The general point, however, is that his skilful use of humour allowed him to undermine opponents while also showing, by example, his own good-natured style in a favourable comparative light. How, then, did Disraeli and Palmerston use their particular brands of humour against each other in debates? Pam vs Dizzy Disraeli entered parliament in , and Palmerston died in â€" a span of years bracketed by the Reform Acts of and Although the vote had been extended to segments of the middle classes in , there was, in fact, little change to the dominance of the landed interest in parliament. At the same time, political leaders in the decades after had to contend with both the increased activity of MPs and outside pressures for political, economic, and moral reforms. Jenkins Camden Society, 4th ser. David Brown and Miles Taylor 2 vols, Southampton, , i, 39â€" Meisel conditions that obtained during the period between the Corn Laws repeal crisis and the Second Reform Act â€" the period in which Disraeli consolidated his leadership position â€" may also have placed a premium on the ability of leading politicians to engage the attention of, and, if necessary, beguile, MPs. It was a period of party fragmentation in which ministries supported by loose coalitions were punctuated by minority govern- ments. In the words of Norman Gash: After a famously bad maiden speech and a few years of relative quiet, Disraeli began building up his image, in part by launching salvoes against the powerful and well-established Palmerston. Evidently determined to demonstrate his abilities to Peel and the rest of parliament, Disraeli delivered a carefully-prepared speech taking Palmerston to task for his handling of the consular service. Gentleman had indeed affirmed the general principle, that political adher- ents ought to be rewarded by appointments, and he regretted to observe an exception 44 Norman Gash, Aristocracy and People: Britain, â€" Cambridge, MA, , To the end of his life, having achieved some measure of the respectability he sought, Disraeli never acknowledged authorship of these scurrilous letters, though they were widely assumed to have come from his pen. Even when he had attained some status, Disraeli was not above penning similarly scurrilous satires on Palmerston, though for private consump- tion. Benjamin Disraeli Letters, ed. After the proof, however, of talent and ability, which the hon. Gentleman had afforded, although, perhaps, not of great industry in getting up the details of his case, he trusted that before the end of the session, the Government would overlook the slight want of industry for the sake of talent, and that the House would see the maxim of the hon. Member practically applied in his own case. While this put-down surely rankled, Disraeli rose to the occasion and got some of his own back, as he described in a letter to his wife: I put Palmerston on his mettle. I made a most happy reply to his insinuation as to my being disappointed about office or rather his sarcastic

hopes that I might obtain it. What I said was literally this: Coming from such a quarter, I consider them auspicious. It is the period from to , however, which is the most important because the stakes were the greatest. During this decade, Disraeli and Palmerston led their respective parties in the Commons and were, therefore, 47 Hansard, Parl. For the official record, which differs little, see Hansard, Parl. Meisel the principal antagonists in debate. Rather, the main objective is to analyse notable examples of such exchanges in which the interplay of humour and insult in the parliamentary context is especially revealing. By the time Disraeli and Palmerston faced each other in the Commons as party leaders, the ways in which they sought to ridicule each other were well-established. They continued to repeat these characterisations with variations to suit the moment. For example, at the time that Palmerston took over from Lord Aberdeen under whom he had served as home secretary , the unsatisfactory conduct of the Crimean War, still in progress, had led to calls for a committee of inquiry. At first, Palmerston refused to agree to the formation of such a committee, but under mounting pressure he dropped his objections while attempting to shield himself from the conse- quences by urging patriotic unity behind his government. He leapt upon the opportunity to characterise Palmerston once again as an old, power-hungry opportunist. The first minister, he said, was: Great cheers and laughter.

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2: United Kingdom general election, - WikiVisually

Speech [of Sergeant Talfourd] on literary property delivered in the House of Commons on the 18th of May,

There remains a technical distinction between county constituencies and borough constituencies , but the only effect of this difference is in the amount of money candidates are allowed to spend during campaigns. The boundaries of the constituencies are determined by four permanent and independent Boundary Commissions , one each for England, Wales, Scotland, and Northern Ireland. The commissions conduct general reviews of electoral boundaries once every 8 to 12 years, and a number of interim reviews. In drawing boundaries, they are required to take into account local government boundaries, but may deviate from this requirement to prevent great disparities in the populations of the various constituencies. The proposals of the Boundary Commissions are subject to parliamentary approval, but may not be amended. After the next general review of constituencies, the Boundary Commissions will be absorbed into the Electoral Commission , which was established in As of , the United Kingdom is divided into constituencies , with in England, 40 in Wales, 59 in Scotland, and 18 in Northern Ireland. General elections occur whenever Parliament is dissolved. The timing of the dissolution was normally chosen by the Prime Minister see relationship with the Government above ; however, as a result of the Fixed-term Parliaments Act , Parliamentary terms are now fixed at five years, except in the event of the House of Commons passing a vote of no confidence or an "early election" motion, the latter having to be passed by a two-thirds majority. All elections in the UK are held on a Thursday. The Electoral Commission is unsure when this practice arose, but dates it to , with the suggestion that it was made to coincide with market day; this would ease voting for those who had to travel into the towns to cast their ballot. The deposit seeks to discourage frivolous candidates. Each constituency returns one member, using the first-past-the-post electoral system, under which the candidate with a plurality of votes wins. Minors that is, anyone under the age of 18 , members of the House of Lords, prisoners, and insane persons are not qualified to become members of the House of Commons. To vote, one must be a resident of the United Kingdom of Great Britain and Northern Ireland and a British citizen, or a citizen of a British overseas territory , of the Republic of Ireland , or of a member of the Commonwealth of Nations. British citizens living abroad are allowed to vote for 15 years after moving from the United Kingdom. No person may vote in more than one constituency. Once elected, Members of Parliament normally continue to serve until the next dissolution of Parliament. But if a member dies or ceases to be qualified see qualifications below , his or her seat falls vacant. It is also possible for the House of Commons to expel a member, but this power is exercised only in cases of serious misconduct or criminal activity. In each case, the vacancy is filled by a by-election in the constituency, with the same electoral system as in general elections. The term "Member of Parliament" is normally used only to refer to members of the House of Commons, even though the House of Lords is also a part of Parliament. Members of the House of Commons may use the post-nominal letters "MP". Most members also claim for various office expenses staff costs, postage, travelling, etc. Qualifications[edit] Another picture of the old House of Commons chamber. Note the dark veneer on the wood, which was purposely made much brighter in the new chamber. There are numerous qualifications that apply to Members of Parliament. Most importantly, one must be aged at least 18 the minimum age was 21 until s. These restrictions were introduced by the British Nationality Act , but were previously far more stringent: Members of the House of Lords may not serve in the House of Commons, or even vote in parliamentary elections just as the Queen does not vote ; however, they are permitted to sit in the chamber during debates unlike the Queen, who cannot enter the chamber. A person may not sit in the Commons if he or she is the subject of a Bankruptcy Restrictions Order applicable in England and Wales only , or if he or she is adjudged bankrupt in Northern Ireland , or if his or her estate is sequestered in Scotland. Previously, MPs detained under the Mental Health Act for six months or more would have their seat vacated if two specialists reported to the Speaker that the member was suffering from a mental disorder. However, this disqualification was removed by the Mental Health Discrimination Act There also

exists a common law precedent from the 18th century that the deaf and dumb are ineligible to sit in the Lower House; [13] this precedent, however, has not been tested in recent years. Anyone found guilty of high treason may not sit in Parliament until he or she has either completed the term of imprisonment or received a full pardon from the Crown. Moreover, anyone serving a prison sentence of one year or more is ineligible. Finally, the Representation of the People Act disqualifies for ten years those found guilty of certain election-related offences. Several other disqualifications are codified in the House of Commons Disqualification Act Ministers, even though they are paid officers of the Crown, are not disqualified. The rule that precludes certain Crown officers from serving in the House of Commons is used to circumvent a resolution adopted by the House of Commons in , under which members are not permitted to resign their seats. In practice, however, they always can. Should a member wish to resign from the Commons , he or she may request appointment to one of two ceremonial Crown offices: These offices are sinecures that is, they involve no actual duties ; they exist solely to permit the "resignation" of members of the House of Commons. The Chancellor of the Exchequer is responsible for making the appointment, and, by convention, never refuses to do so when asked by a member who desires to leave the House of Commons. Officers[edit] The Speaker presides over debates in the House of Commons, as depicted in the above print commemorating the destruction of the Commons Chamber by fire in At the beginning of each new parliamentary term, the House of Commons elects one of its members as a presiding officer, known as the Speaker. If the incumbent Speaker seeks a new term, then the House may re-elect him or her merely by passing a motion; otherwise, a secret ballot is held. A Speaker-elect cannot take office until he or she has been approved by the Sovereign; the granting of the royal approbation, however, is a formality. The Speaker is assisted by three Deputy Speakers, the most senior of whom holds the title of Chairman of Ways and Means. These titles derive from the Committee of Ways and Means, a body over which the chairman once used to preside; even though the Committee was abolished in , the traditional titles of the Deputy Speakers are still retained. Whilst presiding, the Speaker or Deputy Speaker wears ceremonial dress. The presiding officer may also wear a wig, but this tradition was abandoned by Speaker Betty Boothroyd. Her successor, Michael Martin , also did not wear a wig while in the chamber. The current Speaker, John Bercow , has chosen to wear a gown over a lounge suit, a decision that has sparked much debate and opposition. The Speaker or deputy presides from a chair at the front of the House. The Speaker is also chairman of the House of Commons Commission , which oversees the running of the House, and controls debates by calling on members to speak. A member who believes that a rule or Standing Order has been breached may raise a "point of order", on which the Speaker makes a ruling that is not subject to any appeal. The Speaker may discipline members who fail to observe the rules of the House. Thus, the Speaker is far more powerful than his or her Lords counterpart, the Lord Speaker , who has no disciplinary powers. By convention, a Speaker seeking re-election to parliament is not opposed in his or her constituency by any of the major parties. The lack of partisanship continues even after the Speaker leaves the House of Commons. He or she is a permanent official, not a member of the House itself. The Clerk advises the Speaker on the rules and procedure of the House, signs orders and official communications, and signs and endorses bills. The Clerk also chairs the Board of Management, which consists of the heads of the six departments of the House. The Serjeant-at-Arms carries the ceremonial mace , a symbol of the authority of the Crown and of the House of Commons, into the House each day in front of the Speaker, and the Mace is laid upon the Table of the House during sittings. The Commons chamber is small and modestly decorated in green, in contrast to the large, lavishly furnished red Lords chamber. There are benches on two sides of the chamber, divided by a centre aisle. The Clerks sit at one end of the Table, close to the Speaker so that they may advise him or her on procedure when necessary. In front of each set of benches a red line is drawn, which members are traditionally not allowed to cross during debates. Government ministers and the leader of the Opposition and the Shadow Cabinet sit on the front rows, and are known as frontbenchers. Other members of parliament, in contrast, are known as backbenchers. Not all Members of Parliament can fit into the Chamber at the same time, as it only has space to seat approximately two thirds of the Members. According to Robert Rogers , former Clerk of the

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House of Commons and Chief Executive, a figure of seats is an average or a finger-in-the-wind estimate. Sittings in the Chamber are held each day from Monday to Thursday, and also on some Fridays. During times of national emergency, the House may also sit at weekends. Sittings of the House are open to the public, but the House may at any time vote to sit in private, which has occurred only twice since Traditionally, a Member who desired that the House sit privately could shout "I spy strangers" and a vote would automatically follow. In the past, when relations between the Commons and the Crown were less than cordial, this procedure was used whenever the House wanted to keep its debate private. More often, however, this device was used to delay and disrupt proceedings; as a result, it was abolished in Now, Members seeking that the House sit in private must make a formal motion to that effect. Public debates are recorded and archived in Hansard. The post war redesign of the House in included microphones, and debates were allowed to be broadcast by radio in Even members have been known to disturb proceedings of the House. However, perhaps the most famous disruption of the House of Commons was caused by Charles I , who entered the Commons Chamber in with an armed force to arrest five members for high treason. This action was deemed a breach of the privilege of the House, and has given rise to the tradition that the monarch does not set foot in the House of Commons. When he arrives to deliver his summons, the doors of the Commons Chamber are traditionally slammed shut in his face, symbolising the right of the Lower House to debate without interference. During debates, Members may speak only if called upon by the Speaker or a Deputy Speaker, if the Speaker is not presiding. Traditionally, the presiding officer alternates between calling Members from the Government and Opposition. The Prime Minister, the Leader of the Opposition, and other leaders from both sides are normally given priority. All Privy Counsellors used to be granted priority; however, the modernisation of Commons procedure in led to the abolition of this tradition. Only the presiding officer may be directly addressed in debate; other members must be referred to in the third person. Traditionally, members do not refer to each other by name, but by constituency, using forms such as "the Honourable Member for [constituency]", or, in the case of Privy Counsellors, "the Right Honourable Member for [constituency]". Members of the same party or allied parties or groups [17] refer to each other as "my Right Honourable friend". The Speaker enforces the rules of the House and may warn and punish members who deviate from them. In the case of grave disorder , the Speaker may adjourn the House without taking a vote. The Standing Orders of the House of Commons do not establish any formal time limits for debates. The Speaker may, however, order a member who persists in making a tediously repetitive or irrelevant speech to stop speaking. The time set aside for debate on a particular motion is, however, often limited by informal agreements between the parties. Debate may also be restricted by the passage of "Allocation of Time Motions", which are more commonly known as " Guillotine Motions ".

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3: John Bright - Wikipedia

Speech Delivered in the House of Commons, on Wednesday, June 3, On Sir Roberts Peel's Resolution of Want of Confidence in Ministers Volume Talbot Collection of British Pamphlets by Sir Thomas Noon Talfourd starting at $

The men whose life-stories are related in these volumes are not so many individuals who happen to have flourished at about the same time: From that they derived, or expected to derive, certain advantages: And to it they severally contributed something which, as far as individuals are concerned, it is difficult to evaluate or even define, but which collectively formed the corporate personality of the House. Instead, they claimed to be a representative selection of the upper classes of their time, summoned to Westminster primarily to vote the supplies and to be a check upon the executive power of the state, and in the performance of their duties representative of the nation at large. Their standards of rectitude differed in some respects from ours. To a modern reader it is surprising to learn that in , when the House was inquiring into the affairs of the East India Company, the chancellor of the Exchequer was himself speculating in East India stock. Even more reprehensible, if true, is the conduct of Robert Wood, who in as under-secretary of state and closely concerned in the negotiations with Spain over the Falkland Islands, was reputed to be working for war and speculating in the funds accordingly. On this latter practice the attitude of the House changed after , and other forms of dubious conduct became increasingly frowned upon by public opinion. However, in matters touching its own privileges and dignity, or which offended against its code of expected behaviour, the House was characteristically sensitive. Pride of place among those Members who suffered the displeasure of the House must be given to John Wilkes, though whether he is to be described as a rogue or a political martyr must be left undecidedâ€”probably he was a little of both. Three Members were imprisoned by the House. For this offence Crosby and Oliver were sent to the Tower for the remainder of the session, but the House refrained from proceeding against Wilkes. Historically the case is important as the last occasion on which the House took action against those who published reports of its debates. It was the custom during this period, when important business was to be considered, to enforce attendance by means of a call of the House. On the day for which the call was fixed, every Member had to be in his place and answer his name, unless previously excused for reasons of health or private business. Roberts was absent from the call of the House ordered for 31 January ; was again absent when ordered to attend on 15 February; and was committed to the custody of the serjeant-at-arms. His imprisonment was short: What changes took place in the House of Commons during this period? His career in the House spans the whole of our period. Changes occurred, but possibly not all of them were clearly perceived by North on an intellectual level for they were gradual, their total effect cumulative, and the process of adaptation unspectacular. The eighteenth century was not like the seventeenth a period of great constitutional changes, affecting the authority of the House and its relations with the Crown; nor, like the nineteenth century, was it a period when the composition of the House and its relations with the electorate altered fundamentally. The principal developments during these years may be grouped under three headings: These developments in turn reflect deeper changes in the life and thought of the nation at large which are beyond the province of the parliamentary historian. At the beginning of this period election disputes were decided by the House as a whole, and the first session of a new Parliament was occupied by little else than voting the supplies and determining election petitions. It was a slow and tedious process, involving much detail which would have been better left to a small committee than to a body of Members; and often the issue was decided with little respect to the merits of the question. One of the most controversial election petitions of was that from Oxfordshire, where, after an expensive and bitter contest, a double return had been made of two Whigs and two Tories. Sir William Meredith, who at the time was reckoned a Tory, wrote subsequently of the Oxfordshire election case: Nor, to this hour, can either side tell which had the majority of legal votes, nor any Member of Parliament who voted in that question give any other reason for his vote but as he stood inclined for the old or new interest of Oxfordshire. The two Members eventually declared duly elected, who had stood

on the new or Whig interest, owed their seats in effect not to the freeholders of Oxfordshire but to the Whig majority in the House of Commons. Indeed, had the House been prepared to act as an independent and impartial tribunal, it would have found it difficult to do so: When no party issue was involved in the trial of an election petition, as was usually the case from to , it became a matter of lobbying for the support of friends and the friends of friendsâ€”again, often with little respect to the merits of the case. Yet it should not be assumed that under the old system of trying election petitions justice was always foiled by the big battalions. Still, the absence of any one of them might have tipped the scale the other way. The determination of controverted elections by the House of Commons was at best a chancy business. In , after John Wilkes had been three times elected for Middlesex despite being expelled the House and declared incapable of being re-elected into that Parliament, the Grafton Administration was driven to embrace a desperate expedient for getting rid of him. Henry Lawes Luttrell was induced to stand against Wilkes, and though beaten by an overwhelming majority was declared by the House on petition to be the duly elected Member. The Opposition were not slow to point out that Luttrell owed his seat not to the freeholders of Middlesex but to the Government majority in the House of Commonsâ€”exactly as the successful Whig candidates for Oxfordshire had done in Moreover, argued the Opposition, what was to prevent the Government doing this in other cases, and using their majority to deprive of his seat any member of the Opposition who had made himself peculiarly obnoxious to them? What then became of the rights of electors to choose their Members freely? And what safeguard was there for the independence of Parliament and its claim to speak for the nation at large? From the controversy over the Middlesex election there emerged a new way of deciding controverted elections. In George Grenville introduced a bill which provided that each election petition should be referred to a committee of the House chosen by lot. A rather complicated procedure was drawn up for choosing the committee: Members over the age of sixty or who had already served on an election committee that session were excused; from the remainder the Speaker drew forty-nine names by lot; each of the petitioners nominated one Member and then struck off one name alternately until the number was reduced to thirteen. Its supreme virtue was that it made it almost impossible for the Government to determine a controverted election along party lines, for the committee could hardly be packed. But it did nothing to remove the other objection to the trial of election petitions by the House of Commons, namely that Members of Parliament were not in general fit and proper persons to judge the complicated issues involved. After election petitions received a fairer trial, or at least appeared to do so, but election committees occasionally produced some whimsical verdicts. Here are two examples. At Helston the right of election was assumed to be in the corporation. The borough was controlled by the Godolphin family, and on the death of Francis, 2nd Earl of Godolphin in it passed to his grand-son Francis, Marquess of Carmarthen. Then followed disputes in the corporation, which seriously weakened the Godolphin interest, until in Lord Carmarthen secured a new charter, reserving to the corporation the right to co-opt new members. He then proceeded to oust his opponents and pack the corporation with men on whom he could depend. The manoeuvre succeeded, for the committee which tried the petition set aside the new charter and declared that the six voters ousted by Carmarthen in were the only legal voters of Helston. This decision was confirmed by another committee in , by which time the number of voters at Helson had fallen to three; and it was only in , when the electorate had been further reduced to one old man of over eighty, that the right of election was at last declared to be in the corporation. Election committees were not bound by precedents, or rather could be led by a clever lawyer to accept as a precedent what had not hitherto been regarded as one. Though they generally began with declaring that they would not hear evidence as to the right of election, in one instance during this period they arbitrarily changed the right of election against all recent precedents. At Pontefract the right of election was in the burgage holders, and though there was a strong party which contended that it should be in the inhabitant householders, the point was decided against them by election committees in and In , with parliamentary reform in the air, the party of the householder franchise made their third attempt to get a candidate elected; and this time the House of Commons committee ignored the decisions of and , ignored also previous determinations of and in favour of the burgage holders, and

adopted a House of Commons determination of in favour of the inhabitant householders. In effect the committee declared that for eighty-four years Pontefract had been returning Members on the wrong franchise, and that the decisions of previous committees could not bind their successors. In view of such a resolution, could there be said to be such a thing as law in the determination of election petitions? Similarly in in the case of Saltash, where the right of voting was assumed to be in the corporation, the House of Commons committee allowed the votes of the freeholders and in effect altered the borough franchise. The great curse of eighteenth-century elections was their expense. To the average elector the vote was not a trust, not an element in the process of choosing a Government; and it was rarely cast in accordance with a clearly-defined political outlook: Obviously, the line between treating and bribery was a very fine one, yet there was a distinction between the two: In individual cases, bribery was hard to prove, but when it was openly practised and extended to the electorate as a whole, the House could take action. It did so twice during this period, in respect of two constituencies: New Shoreham in and Cricklade in Each constituency received the same treatment: Thus Cricklade and New Shoreham became in effect miniature county constituencies, preserves of the country gentlemen, with influence replacing bribery. And there was nothing reprehensible about influence: Action against bribery was action in defence of property. The second development, the change which came over the type of legislation introduced into the House, was a gradual one. The second half of the eighteenth century was not a period of violent social changes: The class composition of the House changed little throughout the period, and the impetus to reform came not from new classes entering Parliament but from a heightened social consciousness in the old-established classes. Two subjects of social legislation had long concerned the House: The problem of imprisonment for debt was never tackled as a whole: The poor law was primarily a matter for the local authorities, and almost all the attempts to improve its administration during this period were the work of one man, Thomas Gilbert, M. Behind poor law legislation were two factors: As might be expected in a Parliament composed mainly of landowners, the first factor counted more than the second; but there were in the House Members who had a real understanding of the hardships of the poorer classes, and who recognized the connexion between poverty and crime. One of them, Robert Nugent, said in a debate of 2 March If we do not alter our laws of settlement we shall depopulate this country. This country could contain and maintain twice the number that is in it. The quantity of executions at Tyburn owe part of their origin to our poor laws. There are more executions in our capital than in the capitals of all other kingdoms. Crime, and the savage measures taken to repress it, were two of the greatest social evils of the age, practically unrecognized by the parties which struggled for supremacy in the House of Commons but increasingly the concern of a few individuals drawn from all quarters of the House. From about onwards there was a small but vocal movement for penal reform, which, however, achieved little because of the opposition of the House of Lords. In Sir William Meredith, M. Others associated with him in this work were Sir Thomas Charles Bunbury, who helped to found the Derby and was the owner of the first winner of the race; Sir George Savile; Reginald Pole Carew, the friend of Bentham; Alexander Popham, who tried to improve conditions in prisons; John Glynn, the friend and colleague of Wilkes; William Eden, who studied the subject of transportation; and Edmund Burke, who, if he had not been diverted by other aims, might have made a great penal reformer. Horace Walpole once said that every abuse in England was a freehold, and the chief obstacle during the period to any kind of social reform was that there was always an institution or a class which had an interest in the maintenance of the existing system and which cherished that interest as a right of property. From the parliamentary reformers downwards, every reformer had to face this difficulty and few of them managed to overcome it. The conscience of the nation was difficult to arouse, for the circulation of newspapers was small and the urbanized middle class was only just emerging into political consciousness and making its voice heard. In June Archibald Macdonald, solicitor-general, moved for a bill to reform the police in the London area. Macdonald had realized that an inefficient and corrupt police force was a factor making for the increase of crime, and he proposed to appoint three full-time commissioners of police and establish a system of regular patrols. But his plan was opposed by the City of London, on the ground that it was an infringement of their chartered rights,

and Macdonald was forced to withdraw it. The Parliament of was occupied with measures of reform in all spheresâ€”political, administrative, and socialâ€”a remarkable contrast to the record of previous Parliaments. On almost every subject from weights and measures to Parliament itself, there was some Member ready to press the case for reform. One of the most interesting schemes hatched during this Parliament, but one which was never permitted to grow wings, was put forward on 30 April by John Rolle, M. More significant for the immediate future, was the motion of Sir William Dolben, M. Oxford in the late eighteenth and early nineteenth centuries is popularly supposed to have been a centre of opposition to reform of all kinds, and it is forgotten that the first move in the British Parliament for regulation of the slave trade came from one of the representatives for Oxford University.

SPEECH ON LITERARY PROPERTY DELIVERED IN THE HOUSE OF COMMONS, 18TH MAY, 1837 pdf

4: IV. The House of Commons | History of Parliament Online

A speech delivered by Thomas Noon Talfourd, in the House of Commons, on Thursday, 18th May, on moving for leave to bring in a bill to consolidate the law relating to copyright and to extend the term of its duration.

Portcullis House Since each Member of Parliament has represented a single constituency. There remains a technical distinction between county constituencies and borough constituencies , but the only effect of this difference is the amount of money candidates are allowed to spend during campaigns. The boundaries of the constituencies are determined by four permanent and independent Boundary Commissions , one each for England, Wales, Scotland, and Northern Ireland. The commissions conduct general reviews of electoral boundaries once every 8 to 12 years, and a number of interim reviews. In drawing boundaries, they are required to take into account local government boundaries, but may deviate from this requirement to prevent great disparities in the populations of the various constituencies. The proposals of the Boundary Commissions are subject to parliamentary approval, but may not be amended. After the next general review of constituencies, the Boundary Commissions will be absorbed into the Electoral Commission , which was established in General elections occur whenever Parliament is dissolved. The timing of the dissolution was normally chosen by the prime minister see relationship with the Government above ; however, as a result of the Fixed-term Parliaments Act , Parliamentary terms are now fixed at five years, except in the event of the Commons passing a vote of no confidence or an "early election" motion, the latter having to be passed by two-thirds majority. The Electoral Commission is unsure where this convention arose, but dates it to , with the suggestion that it was made to coincide with market day; this would ease voting for those who had to travel to the towns to cast their ballot. The deposit seeks to discourage frivolous candidates. Each constituency returns one member, using the first-past-the-post electoral system, under which the candidate with a plurality of votes wins. Minors that is, anyone under the age of 18 , members of the House of Lords, prisoners, and insane persons are not qualified to become members of the House of Commons. To vote, one must be a resident of the United Kingdom of Great Britain and Northern Ireland and a British citizen, or a citizen of a British overseas territory , of the Republic of Ireland , or of a member of the Commonwealth of Nations. British citizens living abroad are allowed to vote for 15 years after moving from the United Kingdom. No person may vote in more than one constituency. Once elected, Members of Parliament normally continue to serve until the next dissolution of Parliament. If a member, however, dies or ceases to be qualified see qualifications below , his or her seat falls vacant. It is also possible for the House of Commons to expel a member, but this power is exercised only in cases of serious misconduct or criminal activity. In each case, a vacancy may be filled by a by-election in the appropriate constituency, with the same electoral system as in general elections. The term "Member of Parliament" is normally used only to refer to members of the House of Commons, even though the House of Lords is also a part of Parliament. Members of the House of Commons may use the post-nominal letters "MP". Most members also claim for various office expenses staff costs, postage, travelling, etc. Qualifications Another picture of the old House of Commons chamber. Note the dark veneer on the wood, which was purposely made much brighter in the new chamber. There are numerous qualifications that apply to Members of Parliament. Most importantly, one must be aged at least 18 the minimum age was 21 until S. These restrictions were introduced by the British Nationality Act , but were previously far more stringent: Members of the House of Lords may not serve in the House of Commons, or even vote in parliamentary elections just as the Queen does not vote ; however, they are permitted to sit in the chamber during debates unlike the Queen, who cannot enter the chamber. A person may not sit in the Commons if he or she is the subject of a Bankruptcy Restrictions Order applicable in England and Wales only , or if he or she is adjudged bankrupt in Northern Ireland , or if his or her estate is sequestered in Scotland. Previously, MPs detained under the Mental Health Act for six months or more would have their seat vacated if two specialists reported to the Speaker that the member was suffering from a mental disorder. However, this disqualification was

removed by the Mental Health Discrimination Act There also exists a common law precedent from the 18th century that the " deaf and dumb " are ineligible to sit in the Lower House; [8] this precedent, however, has not been tested in recent years. Jack Ashley continued to serve as an MP for 25 years after becoming profoundly deaf. Anyone found guilty of high treason may not sit in Parliament until he or she has either completed the term of imprisonment, or received a full pardon from the Crown. Moreover, anyone serving a prison sentence of one year or more is ineligible. Finally, the Representation of the People Act disqualifies for ten years those found guilty of certain election-related offences. Several other disqualifications are codified in the House of Commons Disqualification Act Ministers, even though they are paid officers of the Crown, are not disqualified. The rule that precludes certain Crown officers from serving in the House of Commons is used to circumvent a resolution adopted by the House of Commons in , under which members are not permitted to resign their seats. In practice, however, they always can. Should a member wish to resign from the Commons , he or she may request appointment to one of two ceremonial Crown offices: These offices are sinecures that is, they involve no actual duties ; they exist solely to permit the "resignation" of members of the House of Commons. The Chancellor of the Exchequer is responsible for making the appointment, and, by convention, never refuses to do so when asked by a member who desires to leave the House of Commons. Officers The Speaker presides over debates in the House of Commons, as depicted in the above print commemorating the destruction of the Commons Chamber by fire in At the beginning of each new parliamentary term, the House of Commons elects one of its members as a presiding officer, known as the Speaker. If the incumbent Speaker seeks a new term, then the House may re-elect him or her merely by passing a motion; otherwise, a secret ballot is held. A Speaker-elect cannot take office until he or she has been approved by the Sovereign; the granting of the royal approbation, however, is a formality. The Speaker is assisted by three Deputy Speakers, the most senior of which holds the title of Chairman of Ways and Means. These titles derive from the Committee of Ways and Means, a body over which the chairman once used to preside; even though the Committee was abolished in , the traditional titles of the Deputy Speakers are still retained. Whilst presiding, the Speaker or Deputy Speaker wears ceremonial dress. The presiding officer may also wear a wig, but this tradition was abandoned by a former Speaker, Betty Boothroyd. Michael Martin , who succeeded the office also did not wear a wig whilst in the chamber. The current speaker, John Bercow , has chosen to wear a gown over a lounge suit, a decision which has sparked much debate and opposition. The Speaker or deputy presides from a chair at the front of the House. The Speaker is also chairman of the House of Commons Commission , which oversees the running of the House, and he or she controls debates by calling on members to speak. If a member believes that a rule or Standing Order has been breached, he or she may raise a "point of order", on which the Speaker makes a ruling that is not subject to any appeal. The Speaker may discipline members who fail to observe the rules of the House. Thus, the Speaker is far more powerful than his Lords counterpart, the Lord Speaker , who has no disciplinary powers. By convention, a Speaker seeking re-election to parliament is not opposed in his or her constituency by any of the major parties. The lack of partisanship continues even after the Speaker leaves the House of Commons. He or she is a permanent official, not a member of the House itself. The Clerk advises the Speaker on the rules and procedure of the House, signs orders and official communications, and signs and endorses bills. He or she chairs the Board of Management, which consists of the heads of the six departments of the House. The Serjeant-at-Arms carries the ceremonial mace , a symbol of the authority of the Crown and of the House of Commons, into the House each day in front of the Speaker, and the Mace is laid upon the Table of the House during sittings. The Commons chamber is small and modestly decorated in green, in contrast to the large, lavishly furnished red Lords chamber. There are benches on two sides of the chamber, divided by a centre aisle. The Clerks sit at one end of the Table, close to the Speaker so that they may advise him or her on procedure when necessary. In front of each set of benches a red line is drawn, which members are traditionally not allowed to cross during debates. Government ministers and the leader of the Opposition and the Shadow Cabinet sit on the front rows, and are known as frontbenchers. Other members of parliament, in contrast, are known as backbenchers. Not all Members of Parliament can fit

into the Chamber at the same time as it only has space to seat of the members. Members who arrive late must stand near the entrance of the House if they wish to listen to debates. Sittings in the Chamber are held each day from Monday to Thursday, and also on some Fridays. During times of national emergency, the House may also sit at weekends. Sittings of the House are open to the public, but the House may at any time vote to sit in private, which has occurred only twice since Traditionally, a Member who desired that the House sit privately could shout "I spy strangers" and a vote would automatically follow. In the past, when relations between the Commons and the Crown were less than cordial, this procedure was used whenever the House wanted to keep its debate private. More often, however, this device was used to delay and disrupt proceedings; as a result, it was abolished in Now, Members seeking that the House sit in private must make a formal motion to that effect. Public debates are recorded and archived in Hansard. The post war redesign of the House in included microphones, and debates were allowed to be broadcast by radio in Even members have been known to disturb proceedings of the House. However, perhaps the most famous disruption of the House of Commons was caused by King Charles I , who entered the Commons Chamber in with an armed force to arrest five members for high treason. This action was deemed a breach of the privilege of the House, and has given rise to the tradition that the monarch does not set foot in the House of Commons. When he arrives to deliver his summons, the doors of the Commons Chamber are traditionally slammed shut in his face, symbolising the right of the Lower House to debate without interference. During debates, Members may speak only if called upon by the Speaker or a Deputy Speaker, if the Speaker is not presiding. Traditionally, the presiding officer alternates between calling Members from the Government and Opposition. The Prime Minister, the Leader of the Opposition, and other leaders from both sides are normally given priority. All Privy Counsellors used to be granted priority; however, the modernisation of Commons procedure in led to the abolition of this tradition. Only the presiding officer may be directly addressed in debate; other members must be referred to in the third person. Traditionally, members do not refer to each other by name, but by constituency, using forms such as "the Honourable Member for [constituency]", or, in the case of Privy Counsellors, "the Right Honourable Member for [constituency]". Members of the same party or allied parties or groups [11] refer to each other as "my Right Honourable friend". The Speaker enforces the rules of the House and may warn and punish members who deviate from them. In the case of grave disorder , the Speaker may adjourn the House without taking a vote. The Standing Orders of the House of Commons do not establish any formal time limits for debates. The Speaker may, however, order a member who persists in making a tediously repetitive or irrelevant speech to stop speaking. The time set aside for debate on a particular motion is, however, often limited by informal agreements between the parties. Debate may also be restricted by the passage of "Allocation of Time Motions", which are more commonly known as " Guillotine Motions ".

SPEECH ON LITERARY PROPERTY DELIVERED IN THE HOUSE OF COMMONS, 18TH MAY, 1837 pdf

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Full text of "Monastic and conventual institutions: speech delivered in the House of Commons" See other formats MONASTIC AND CONVENTUAL INSTITUTIONS. SPEECH DELIVERED IN THE HOUSE OF COMMONS BY C. N. NEWDEGATE, ESQ., M.P., ON THE 3rd of MARCH, I, t, WITH THE COEEESPONDEIS^CE BETWEEN THE IIEVER:f:ND DR.

Early life[edit] Bright was born at Greenbank, Rochdale , in Lancashire , England â€" one of the early centres of the Industrial Revolution. His father, Jacob Bright, was a much-respected Quaker , who had started a cotton mill at Rochdale in Educated at Ackworth School, she was a woman of great strength of character and refined taste. There were eleven children of this marriage, of whom John was the eldest surviving son. His younger brother was Jacob Bright , an MP and mayor. John was a delicate child, and was sent as a day pupil to a boarding school near his home, kept by William Littlewood. A year at the Ackworth School , two years at Bootham School , [1] York , and a year and a half at Newton, near Clitheroe , completed his education. He learned, he himself said, but little Latin and Greek, but acquired a great love of English literature, which his mother fostered, and a love of outdoor pursuits. In Rochdale, Jacob Bright was a leader of the opposition to a local church-rate. Rochdale was also prominent in the movement for parliamentary reform, by which the town successfully claimed to have a member allotted to it under the Reform Bill. John Bright took part in both campaigns. He was an ardent Nonconformist , proud to number among his ancestors John Gratton, a friend of George Fox , and one of the persecuted and imprisoned preachers of the Religious Society of Friends. His political interest was probably first kindled by the Preston election in , in which Edward Stanley , after a long struggle, was defeated by Henry "Orator" Hunt. But it was as a member of the Rochdale Juvenile Temperance Band that Bright first learned public speaking. These young men went out into the villages, borrowed a chair of a cottager, and spoke from it at open-air meetings. Bright got his notes muddled, and broke down. The chairman gave out a temperance song, and during the singing told Bright to put his notes aside and say what came into his mind. Bright obeyed, began with much hesitancy, but found his tongue and made an excellent address, although sometimes he spoke with a confused syntax. On some early occasions, however, he committed his speech to memory. In he called on the Rev. John Aldis, an eminent Baptist minister, to accompany him to a local Bible meeting. Mr Aldis described him as a slender, modest young gentleman, who surprised him by his intelligence and thoughtfulness, but who seemed nervous as they walked to the meeting together. At the meeting he made a stimulating speech, and on the way home asked for advice. Mr Aldis counselled him not to learn his speeches, but to write out and commit to memory certain passages and the peroration. This "first lesson in public speaking", as Bright called it, was given in his twenty-first year, but he had not then contemplated a public career. He was a fairly prosperous man of business, very happy in his home, always ready to take part in the social, educational and political life of his native town. A founder of the Rochdale Literary and Philosophical Society, he took a leading part in its debates, and on returning from a holiday journey in the east, gave the society a lecture on his travels. Cobden was an alderman of the newly formed Manchester Corporation , and Bright went to ask him to speak at an education meeting in Rochdale. His first speech on the Corn Laws was made at Rochdale in , and in the same year he joined the Manchester provisional committee which in founded the Anti-Corn Law League. Among the speakers were Cobden and Bright, and the dinner is memorable as the first occasion on which the two future leaders appeared together on a Free Trade platform. Bright is described by the historian of the League as "a young man then appearing for the first time in any meeting out of his own town, and giving evidence, by his energy and by his grasp of the subject, of his capacity soon to take a leading part in the great agitation. A daughter, Helen , was born to him; but his young wife, after a long illness, died of tuberculosis in September Three days after her death at Leamington , Cobden called to see him. Now, when the first paroxysm of your grief is past, I would advise you to come with me, and we will never rest till the Corn Laws are repealed. He was defeated, but his

successful competitor was unseated on petition, and at the second contest Bright was returned. In the Anti-Corn Law movement the two speakers complemented each other. Cobden had the calmness and confidence of the political philosopher, Bright had the passion and the fervour of the popular orator. Cobden did the reasoning, Bright supplied the declamation, but mingled argument with appeal. No orator of modern times rose more rapidly. He was not known beyond his own borough when Cobden called him to his side in , and he entered parliament towards the end of the session of with a formidable reputation. He had been all over England and Scotland addressing vast meetings and, as a rule, carrying them with him; he had taken a leading part in a conference held by the Anti-Corn Law League in London had led deputations to the Duke of Sussex , to Sir James Graham , then home secretary, and to Lord Ripon and Gladstone , the secretary and under secretary of the Board of Trade ; and he was universally recognised as the chief orator of the Free Trade movement. Wherever "John Bright of Rochdale" was announced to speak, vast crowds assembled. He had been so announced, for the last time, at the first great meeting in Drury Lane Theatre on 15 March ; henceforth his name was enough. He took his seat in the House of Commons as one of the members for Durham on 28 July , and on 7 August delivered his maiden speech in support of a motion by Mr Ewart for reduction of import duties. He was there, he said, "not only as one of the representatives of the city of Durham , but also as one of the representatives of that benevolent organisation, the Anti-Corn Law League. His voice is good, his enunciation distinct, and his delivery free from any unpleasant peculiarity or mannerism. It would be foolish, nay, rash, to deny its importance. Bright publicly deprecated the popular tendency to regard Cobden and himself as the chief movers in the agitation, and Cobden told a Rochdale audience that he always stipulated that he should speak first, and Bright should follow. His "more stately genius", as John Morley calls it, was already making him the undisputed master of the feelings of his audiences. In the House of Commons his progress was slower. In the next session he moved for an inquiry into the operation of the Game Laws. At a meeting of county members earlier in the day Robert Peel , then Prime Minister , had advised them not to be led into discussion by a violent speech from the member for Durham, but to let the committee be granted without debate. Bright was not violent, and Cobden said that he did his work admirably, and won golden opinions from all men. The speech established his position in the House of Commons. On only one other occasionâ€”a vote for South Kensington â€”did they go into opposite lobbies, during twenty-five years of parliamentary life. In the autumn of Bright retained Cobden in the public career to which Cobden had invited him four years before; Bright was in Scotland when a letter came from Cobden announcing his determination, forced on him by business difficulties, to retire from public work. Bright replied that if Cobden retired the mainspring of the League was gone. The crisis of the struggle had come. The bad harvest and the potato blight drove him to the repeal of the Corn Laws, and at a meeting in Manchester on 2 July Cobden moved and Bright seconded a motion dissolving the league. A library of twelve hundred volumes was presented to Bright as a memorial of the struggle. Flogging a dead horse The first recorded use of the expression with its modern meaning is by Bright, referring to the Reform Bill of , which called for more democratic representation in Parliament, an issue about which Parliament was singularly apathetic. It has often been misquoted as a reference to the UK Parliament. They had one daughter, Helen Priestman Bright b. In the new parliament, he opposed legislation restricting the hours of labour, and, as a Nonconformist , spoke against clerical control of national education. When Lord John Russell brought forward his Ecclesiastical Titles Bill, Bright opposed it as "a little, paltry, miserable measure", and foretold its failure. In this parliament he spoke much on Irish questions. In a speech in favour of the government bill for a rate in aid a tax on the prosperous parts of Ireland that would have paid for famine relief in the rest of that island in , he won loud cheers from both sides, and was complimented by Disraeli for having sustained the reputation of that assembly. From this time forward he had the ear of the House, and took effective part in the debates. He spoke against capital punishment, against church-rates, against flogging in the army, and against the Irish Established Church. In the election of Bright was again returned for Manchester on the principles of free trade, electoral reform and religious freedom. But war was in the air, and the most impassioned speeches he ever delivered were addressed to this parliament in

fruitless opposition to the Crimean War. Neither the House nor the country would listen. You may almost hear the beating of his wings", he said, and concluded with an appeal that moved the House as it had never been moved within living memory. Within a few months, he was elected unopposed as one of the two MPs for Birmingham in He would hold this position for over thirty years though he would later leave the Liberal Party on the issue of Irish Home Rule in On 27 October , he launched his campaign for parliamentary reform at Birmingham Town Hall. In this speech he demanded the enfranchisement of the working-class people because of their sheer number, and said that one should rejoice in open demonstrations rather than being confronted with "armed rebellion or secret conspiracy". In , Gladstone ordered the Royal Navy to bombard Alexandria to recover the debts owed by the Egyptians to British investors. In , he holidayed there with his wife and five-year-old son. As they passed through the graveyard, the boy said, "Mamma, when I am dead, I want to be buried here. Bright returned to Llandudno at least once a year until his own death. He is still commemorated in Llandudno where the principal secondary school was named after him, and a new school, Ysgol John Bright was built in Mountford, depicting Bright wagging his finger at the Zulu king Cetshwayo , who visited England in Bright had much literary and social recognition in his later years. Dale wrote of his rectorial address: He delivered the opening address for the Birmingham Central Library in , and in the city erected a statue of him. The marble statue, by Albert Joy, was in store [4] until it was recently restored to a prominent position in the Birmingham Museum and Art Gallery. He was widely regarded as a force to be reckoned with and his political influence was considerably out of proportion to his activity. On the question of a Parliament in Dublin , he wishes to get rid of Irish representation at Westminster , in which I entirely agree with him if it be possible". On 17 March he met Chamberlain and thought "his view is in the main correct and that it is not wise in him to support the intended measures". He gave me a long memorandum, historical in character, on the past Irish story, which seemed to be somewhat one-sided, leaving out of view the important minority and the views and feelings of the Protestant and loyal portion of the people. He explained much of his policy as to a Dublin Parliament, and as to Land purchase. I objected to the Land policy as unnecessaryâ€”the Act of had done all that was reasonable for the tenantsâ€”why adopt the policy of the rebel party, and get rid of landholders, and thus evict the English garrison as the rebels call them? I denied the value of the security for repayment. Why not go to the help of other interests in Belfast and Dublin? As to Dublin Parliament, I argued that he was making a surrender all along the lineâ€”a Dublin Parliament would work with constant friction, and would press against any barrier he might create to keep up the unity of the three Kingdoms. What of a volunteer force, and what of import duties and protection as against British goods? I thought he placed far too much confidence in the leaders of the rebel party. I could place none in them, and the general feeling was and is that any terms made with them would not be kept, and that through them I could not hope for reconciliation with discontented and disloyal Ireland. Bright did not enter the debates on the Bill and left London at the end of April to attend the funeral of his brother-in-law.

SPEECH ON LITERARY PROPERTY DELIVERED IN THE HOUSE OF COMMONS, 18TH MAY, 1837 pdf

6: Debates (Hansard) No. - June 19, () - House of Commons of Canada

Get this from a library! Speech of Sir Robert Peel, Bart., M.P. delivered in the House of Commons, Monday, May 13, on resigning the attempt to form a ministry.

Advanced Search On his departure from office in April , Sir Robert Peel delivered a very personal tribute to, and testament of faith in, the House of Commons. Members from all sides of the House cheered the outgoing Conservative Prime Minister as he said: For himself, the whole of his political life had been spent in the House of Commonsâ€”the remainder of it would be spent in the House of Commons; and whatever might be the conflicts of parties, he, for one, should always wish, whether in a majority or in a minority, to stand well with the House of Commons. Hansard case, when the immunity from legal action of material published under the authority of the House was called into question. It increased the number eligible to vote by some 50 per cent and redistributed a hundred seats to populous counties and new industrial centres such as Manchester, Birmingham and Leeds. He was convinced that the public could be persuaded to accept the leadership of the House, if parliament proved itself worthy of that trust: However, it also required that MPs recognise the difference between being representatives with the power of deliberation and mere delegates whose only role was to vote as instructed. When controversy erupted over the adjudication of controverted elections in the later s, Peel had the perfect opportunity to lay out in detail his views on the moral authority of the House. I After every general election, the House received petitions alleging that particular contests had been won by undue means. A wide range of malfeasances might be cited in the petitions. Allegations of bribery, treating and intimidation, for example, were commonplace, but many election petitions turned on more technical infringements. The Great Reform Act made no changes to the system used to try controverted election petitions: The names of those present were written down and thirty-three drawn out at random. The legal teams retained by the petitioner and the defendant would then each strike out eleven names, leaving a committee of eleven MPs to try the merits of the petition. Each disputed case had the potential to affect materially the balance of power; as the tribunals became a focal point for rival partisan aspirations, so their impartiality came under intense scrutiny. The first signs that party spirit was giving rise to significant problems came after the election of , when widespread complaints about the partisan judgements reached by many of the election committees abounded. Too few members were equipped to navigate the intricacies of a system that embodied three separate reform actsâ€”one each for England and Wales, Scotland and Ireland. The legal difficulties were aggravated by the manner in which the electoral committees were selected. The Bill sought to effect two important reforms: The first would be achieved by reducing the number of MPs serving on a committee from eleven to just five and by publishing their proceedings. The screen of numbers being removed, it is to be expected that every Member knowing how much may depend on his single vote, and how exposed his misconduct will be to the public eye, will feel the necessity of taking pains to form accurate conclusions, and of resisting every inducement to swerve from strict justice, which party or personal bias may present. Buller proposed that all MPs, rather than just those present in the House when the committee was formed, be liable for nomination. At the beginning of each session, the Speaker would divide the Members alphabetically into six lists, and each petition would be tried by a committee drawn randomly from a single list. Fifteen names would be selected, and then read over: The second proposal aimed to increase the legal expertise of the committees. The Bill suggested that the House would appoint three permanent legal officers whose role it would be to chair all election committees and offer advice to the politicians regarding the points of law being raised by counsel. The MPs serving on the committee would be left to decide on matters of fact in the particular case under review. When not chairing election committees, the permanent salaried chairmen as they were known would sit as a court of appeal from the decisions of the lawyers overseeing another great change introduced by the Reform Act: The annual review of the register, carried on in every constituency across the country, had generated a huge mass of contradictory case law; Buller hoped that his proposed Court

of Appeal would restore order and clarity to this crucial area. A total of sixty-four petitions, calling into question the seats of eighty-five members, were presented: Even before the first committee was selected, the process had become mired in controversy. Partisans of both parties accused their opponents of manufacturing fictitious petitions. The aim of the exercise was apparently to disqualify the eighteen Conservative MPs appealed against from serving on other election committees. Within days of the election results becoming known, a meeting was held at the London Coffeehouse under the chairmanship of the publisher and leading London Conservative, Andrew Spottiswoode. The conduct of the trials themselves in the early months of undermined it even further. It became a matter of common complaint that, when the names chosen to serve on an election committee were read to the House, the members of the side having the majority would break into cheers. The cases of Roxburgh and Hull may serve as typical examples. The election at Roxburgh was marred by extensive rioting in the town of Hawick, one of three polling places in the county. The request was refused. Under the terms of the Scottish Reform Act, this would have necessitated an extra day of polling; had the committee accepted that it was an adjournment, the election would almost certainly have been re-run since the petitioners had asked for the extra day at the time and it had not been granted, meaning the return should have been rendered void. What lent these decisions a whiff of impropriety was not simply that the Whigs had a majority of eight to three on the committee, but that the chairman was none other than the Rt. Murray, Lord Advocate of Scotland, who had refused the original request for troops. If the Roxburgh committee was controversial, that which sat to consider the Hull petition was scandalous. As The Times said, not only did the sum seem reasonable compensation for the expenses he must have incurred, but signing a receipt was hardly the action of a man taking a bribe. What is more, it was not out of keeping with what was familiar from other contests. During the contest for the West Riding of Yorkshire, the Whig candidateâ€”and the man now chairing the Hull election committeeâ€”Sir George Strickland, had issued a notice inviting voters to visit his committee room and claim expenses on exactly these terms. The law 9 Geo. This both sides did, and the scrutiny of the votes cast for the Conservative candidate duly began. The manner in which the committee did its work attracted widespread opprobrium. II Peel experienced the deficiencies of the existing system at first hand when he chaired the Evesham election committee in March The case was a particularly difficult one and resulted in one of the Conservatives, Peter Borthwick, being unseated and prosecuted for bribery. He corresponded with contacts in France and the USA to learn how matters were resolved in those countries; 52 he also pressed, unsuccessfully, for a Select Committee to identify the points of law that caused electoral committees most trouble so that a Declaratory Act could be framed to provide a definitive interpretation. Peel offered two justifications for his determination to reserve to the Commons the right of trying its own elections: When introducing his Bill, he read the House a lengthy history lesson in which he demonstrated that, since the reign of Elizabeth, the House had regarded the ability to decide its own elections as one of its most important rights. Chief among these was the problem of who could safely be given that responsibility. Their actions would inevitably come to be interpreted in a political manner, especially if they were judging a petition from a particularly popular or controversial constituencyâ€”Westminster or Dublin, for example 57 â€”and that would weaken the constitution significantly. Adding a jury to assist the Judge provided no obvious safeguard: If the members were bound by their interpretations, would the House have lost its independence; if the judgements were negotiable, what was the point of having external chairmen in the first place? The petitioners were to be given a short period in which they might object to any member of the committee, but the grounds of objection were strictly limited. Peel accepted an amendment made by Lord John Russell that, instead of allowing the seven-member committees to select their own chair as originally planned, the General Committee of Selection should themselves appoint a panel of twelve experienced Members who would act as chairmen of the committees: In commending his measure to the House, Peel drew upon the precedent provided by recent procedural reforms in the House of Lords, where, as he told the Commons, practice on private business had been significantly amended. The committees on private business, being open, had been subject to various nuisances, notably through canvassing by interested parties. All opposed private Bills were now sent to a

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Select Committee of five peers selected by a standing committee comprising the Chairman of Committees and four other peers named by the House. All five members of the nominated committee were expected to attend every sitting of the committee, and no other peers were permitted to take part in the proceedings. Peel also quoted evidence presented in a recent Select Committee on Private Business in the Commons of which he had been a member. The Members were now conscious of the very specific trust placed in them, and the quality of discussion and the impartiality of decision making had improved markedly. From many other points of the political compass, however, including his own backbenches, he experienced a less favourable reception. Some disputed his account of constitutional history; 74 others insisted that the Commons lost its privileges in relation to controverted elections in when the Grenville system set up committees whose decisions the House had no right to counter. Rather than examining the tribunal, they should focus on electoral law: Charles Buller suggested that the introduction of secret voting would be the most efficacious remedy of all since it would prevent most cases ever arising. If the House of Commons cannot furnish materials for at least as pure and competent an election tribunal as can be obtained from any other quarter, by what right does it pretend to resist a desire manifested both out of doors and by many able and honest men within them, to resort to some less vitiated and objectionable quarter? The subtle influence of party would, critics felt, undermine the whole structure proposed by Peel, since even the Speakerâ€"the original author of the committee structure he would establishâ€"must ultimately be an appointee of the largest party in the House. What security was there that a partisan Speaker might not elect a partisan Committee of Selection, which in turn might nominate partisan election committees? However, they also justified their position on a second, and to Peel, much more worrying groundâ€"the state of popular opinion on the issue. Many Members pointed to the inflammatory newspaper coverage of recent election trials and supported the accompanying demand that the House give up its privilege of trying election petitions because it was not competent to do so. He suggested a facetious new preamble to the Bill: The House had to retain its nerve and its self-confidence: Approximately thirty Conservatives had followed Mahon into the division lobby, however; a year later when the long running case of Stockdale v. Hansard reached its climax, Peel found an even greater number of his backbench supporters arrayed against him. III The case of Stockdale v. Hansard had its origins in some observations made by H. Prison Inspectors after a visit to Newgate Gaol in The response of the Commons was to appoint a Select Committee to investigate the matter: The Commons immediately arrested not just Stockdale for breach of its privileges but also the Sheriffs who had executed the order for damages. Many, particularly on the Conservative side, were appalled by the whole episode and by what they interpreted as the naked self-aggrandisement of the popularly elected chamber. As the Quarterly Review expressed it: Yet, for a majority in the Commons, Peel included, it seemed essential that the House be free to publish all that came before it without censorship. How could the public have faith in parliament if the material on which it based its decisions was not known? Hansard debates, he threatened to resign his seat if the right of the House to free publication was denied. In January , for example, he said: The judges told him he must not circulate parliamentary papers: He should not submit to perform the duties of a representative of the people if he were denied the means of vindicating and explaining his conduct. While the supporters of the House and its privileges naturally sided with Peel, he faced considerable hostility from his own supporters. All but six were Conservative MPs. Hansard case, as Norman Gash remarked, placed a considerable strain on the relationship between Peel and his followers. The impact that this fault line was to have on the Conservative government elected in is beyond the scope of this article; 99 however, it is clear that Peel differed from a large section of his colleagues in his wholehearted championship of the rights and privileges of the House of Commons. Although amended on a number of occasions, it provided the basis for the way in which the Commons dealt with controverted elections until Hansard saga was finally settled by the passage of the Parliamentary Papers Act, which set out the privileged position of publications produced under the authority of parliament. Peel, as this article has demonstrated, played a central, and to some, controversial, role in securing both pieces of legislation.

SPEECH ON LITERARY PROPERTY DELIVERED IN THE HOUSE OF COMMONS, 18TH MAY, 1837 pdf

7: House of Commons of the United Kingdom

Full text of "Three speeches delivered in the House of Commons in favour of a measure for an extension of copyright. To which are added the petitions in favour of the bill, and remarks on the present state of the copyright question ".

This new parliament was, in effect, the continuation of the Parliament of England with the addition of 45 MPs and 16 Peers to represent Scotland. The House of Commons in the early 19th century by Augustus Pugin and Thomas Rowlandson The House of Commons experienced an important period of reform during the nineteenth century. Over the years, several anomalies had developed in borough representation. The constituency boundaries had not been changed since , so many towns that were once important but had declined by the nineteenth century still retained their ancient right of electing two members. The most notorious of these " rotten boroughs " were Old Sarum , which had only six voters for two MPs, and Dunwich which had fallen into the sea. At the same time, large cities such as Manchester received no separate representation although their eligible residents were able to vote in the corresponding county seat. Also notable were the pocket boroughs , small constituencies controlled by wealthy landowners and aristocrats, whose "nominees" were invariably elected. The Commons attempted to address these anomalies by passing a Reform Bill in To avoid this the Lords relented and passed the bill in The Reform Act , also known as the "Great Reform Act," abolished the rotten boroughs, established uniform voting requirements for the boroughs, and granted representation to populous cities, but still retained many pocket boroughs. In the ensuing years, the Commons grew more assertive, the influence of the House of Lords having been reduced by the Reform Bill Crisis, and the power of the patrons reduced. The Lords became more reluctant to reject bills that the Commons passed with large majorities, and it became an accepted political principle that the confidence of the House of Commons alone was necessary for a government to remain in office. Many more reforms were introduced in the latter half of the nineteenth century. The Reform Act lowered property requirements for voting in the boroughs, reduced the representation of the less populous boroughs, and granted parliamentary seats to several growing industrial towns. The electorate was further expanded by the Representation of the People Act , under which property qualifications in the counties were lowered. The Redistribution of Seats Act of the following year replaced almost all multi-member constituencies with single-member constituencies. In , the Liberal Government under Asquith introduced a number of social welfare programmes, which, together with an expensive arms race , forced the Government to seek higher taxes. The unpopular measure, however, failed in the heavily Conservative House of Lordsâ€”and the government resigned. The resulting general election returned a hung parliament, but Asquith remained Prime Minister with the support of the smaller parties. Asquith then proposed that the powers of the Lords be severely curtailed. After a further election in December , the Asquith Government secured the passage of a bill to curtail the powers of the House of Lords after threatening to flood the House with new Liberal peers to ensure the passage of the bill. Thus, the Parliament Act came into effect, destroying the legislative equality of the two Houses of Parliament. The House of Lords was permitted only to delay most legislation, for a maximum of three parliamentary sessions or two calendar years reduced to two sessions or one year by the Parliament Act Since the passage of these Acts, the House of Commons has become the dominant branch of Parliament, both in theory and in practice. In , women over 30 were given the right to vote, quickly followed by the passage of a law enabling women to be eligible for election as Members of Parliament at the younger age of Since the 17th century, MPs had been unpaid. Most of the men elected to the Commons had private incomes, while a few relied on financial support from a wealthy patron. Early Labour MPs were often provided with a salary by a trade union, but this was declared illegal by a House of Lords judgment of Consequently a clause was included in the Parliament Act finally introducing salaries for MPs. Government ministers had always been paid. Members and elections Since each Member of Parliament represents a single constituency. There remains a technical distinction between county constituencies and borough constituencies , but the only effect of this difference is the amount

of money candidates are allowed to spend during campaigns. The boundaries of the constituencies are determined by four permanent and independent Boundary Commissions , one each for England , Wales , Scotland , and Northern Ireland. The Commissions conduct general reviews of electoral boundaries once every 8 to 12 years, as well as a number of interim reviews. In drawing boundaries, they are required to take into account local government boundaries, but may deviate from this requirement in order to prevent great disparities in the populations of the various constituencies. The proposals of the Boundary Commissions are subject to parliamentary approval, but may not be amended. After the next general review of constituencies, the Boundary Commissions will be absorbed into the Electoral Commission , which was established in Currently the United Kingdom is divided into constituencies , with in England, 40 in Wales, 59 in Scotland, and 18 in Northern Ireland. General elections occur whenever Parliament is dissolved by the Sovereign. The timing of the dissolution is normally chosen by the Prime Minister see relationship with the Government below ; however, a parliamentary term may not last for more than five years, unless a Bill extending the life of Parliament passes both Houses and receives Royal Assent. The House of Lords, exceptionally, retains its power of veto over such a Bill. Conventionally, all elections in the United Kingdom are held on a Thursday. The deposit seeks to discourage frivolous candidates. Each constituency returns one Member, using the first-past-the-post electoral system, under which the candidate with a plurality of votes wins. Minors, Members of the House of Lords, prisoners, and insane persons are not qualified to become Members of the House of Commons. In order to vote, one must be a resident of the United Kingdom as well as a citizen of the United Kingdom , of a British overseas territory , of the Republic of Ireland , or of a member of the Commonwealth of Nations. British citizens living abroad are allowed to vote for 15 years after moving from the United Kingdom. No person may vote in more than one constituency. Once elected, Members of Parliament normally continue to serve until the next dissolution of Parliament. If a Member, however, dies or ceases to be qualified see qualifications below , his or her seat falls vacant. It is also possible for the House of Commons to expel a Member, but this power is exercised only in cases of serious misconduct or criminal activity. In each case, a vacancy may be filled by a by-election in the appropriate constituency, with the same electoral system as in general elections. The term "Member of Parliament" is normally used only to refer to Members of the House of Commons, even though the House of Lords is also a part of Parliament. Members of the House of Commons may use the post-nominal letters "MP". Qualifications There are numerous qualifications that apply to Members of Parliament. Most importantly, one must be aged at least 18 the limit was 21 until S. These restrictions were introduced by the British Nationality Act , but were previously far more stringent: Members of the House of Lords may not serve in the House of Commons, or even vote in parliamentary elections; however, they are permitted to sit in the chamber during debates. A person may not sit in the Commons if he or she is the subject of a Bankruptcy Restrictions Order applicable in England and Wales only , or if he or she is adjudged bankrupt in Northern Ireland , or if his or her estate is sequestered in Scotland. Also, lunatics are ineligible to sit in the House of Commons. Under the Mental Health Act , two specialists must report to the Speaker that a Member is suffering from mental illness before a seat can be declared vacant. There also exists a common law precedent from the 18th century that the " deaf and dumb " are ineligible to sit in the Lower House[citation needed]; this precedent, however, has not been tested in recent years. Jack Ashley continued to serve as an MP for 25 years after becoming profoundly deaf. Anyone found guilty of high treason may not sit in Parliament until he or she has either completed the term of imprisonment, or received a full pardon from the Crown. Moreover, anyone serving a prison sentence of one year or more is ineligible. Finally, the Representation of the People Act disqualifies for ten years those found guilty of certain election-related offences. Several other disqualifications are codified in the House of Commons Disqualification Act Ministers, even though they are paid officers of the Crown, are not disqualified. The rule that precludes certain Crown officers from serving in the House of Commons is used to circumvent a resolution adopted by the House of Commons in , under which Members are not permitted to resign their seats. In practice, however, they always can. Should a Member wish to resign from the Commons , he or she

may request appointment to one of two ceremonial Crown offices: These offices are sinecures that is, they involve no actual duties ; they exist solely in order to permit the "resignation" of Members of the House of Commons. The Chancellor of the Exchequer is responsible for making the appointment, and, by convention, never refuses to do so when asked by a Member who desires to leave the House of Commons. Officers The Speaker presides over debates in the House of Commons, as depicted in the above print commemorating the destruction of the Commons Chamber by fire in The House of Commons elects a presiding officer, known as the Speaker, at the beginning of each new parliamentary term. If the incumbent Speaker seeks a new term, then the House may re-elect him or her merely by passing a motion; otherwise, a secret ballot is held. A Speaker-elect cannot take office until he or she has been approved by the Sovereign; the granting of the royal approbation, however, is a formality. The Speaker is assisted by three Deputy Speakers, the most senior of which holds the title of Chairman of Ways and Means. These titles derive from the Committee of Ways and Means, a body over which the Chairman once used to preside; even though the Committee was abolished in , the traditional titles of the Deputy Speakers are still retained. Whilst presiding, the Speaker or Deputy Speaker wears a ceremonial black robe. The presiding officer may also wear a wig, but this tradition was abandoned by the former Speaker, Michael Martin , and by his predecessor, Betty Boothroyd. The Speaker or deputy presides from a chair at the front of the House. The Speaker is also chairman of the House of Commons Commission, which oversees the running of the House, and he or she controls debates by calling on members to speak. If a member believes that a rule or Standing Order has been breached, he or she may raise a "point of order", on which the Speaker makes a ruling that is not subject to any appeal. The Speaker may discipline members who fail to observe the rules of the House. Thus, the Speaker is far more powerful than his Lords counterpart, the Lord Speaker , who has no disciplinary powers. Customarily, the Speaker and the deputies are non-partisan; they do not vote, or participate in the affairs of any political party. By convention, a Speaker seeking re-election to parliament is not opposed in his or her constituency by any of the major parties. The lack of partisanship continues even after the Speaker leaves the House of Commons. He or she is a permanent official, not a Member of the House itself. The Clerk advises the Speaker on the rules and procedure of the House, signs orders and official communications, and signs and endorses bills. He or she chairs the Board of Management, which consists of the heads of the six departments of the House. The Serjeant-at-Arms carries the ceremonial Mace , a symbol of the authority of the Crown and of the House of Commons, into the House each day in front of the Speaker, and the Mace is laid upon the Table of the House during sittings. The Commons chamber is small and modestly decorated in green, in contrast with the large, lavishly furnished red Lords chamber. There are benches on two sides of the chamber, divided by a centre aisle. The Clerks sit at one end of the Table, close to the Speaker so that they may advise him or her on procedure when necessary. In front of each set of benches, a red line is drawn on the carpetâ€”and members are traditionally not allowed to cross the line during debates. The red lines in front of the two sets of benches are said to be set two sword-lengths apart; a Member is thus supposed to be unable to attack an individual on the opposite side. Government ministers and the leader of the Opposition and the Shadow Cabinet sit on the front rows, and are known as "frontbenchers".

SPEECH ON LITERARY PROPERTY DELIVERED IN THE HOUSE OF COMMONS, 18TH MAY, 1837 pdf

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Members and elections Since each Member of Parliament represents a single constituency. There remains a technical distinction between county constituencies and borough constituencies , but the only effect of this difference is the amount of money candidates are allowed to spend during campaigns. The boundaries of the constituencies are determined by four permanent and independent Boundary Commissions , one each for England, Wales, Scotland, and Northern Ireland. The Commissions conduct general reviews of electoral boundaries once every 8 to 12 years, as well as a number of interim reviews. In drawing boundaries, they are required to take into account local government boundaries, but may deviate from this requirement in order to prevent great disparities in the populations of the various constituencies. The proposals of the Boundary Commissions are subject to parliamentary approval, but may not be amended. After the next general review of constituencies, the Boundary Commissions will be absorbed into the Electoral Commission , which was established in Currently the United Kingdom is divided into constituencies , with in England, 40 in Wales, 59 in Scotland, and 18 in Northern Ireland. General elections occur whenever Parliament is dissolved by the Sovereign. The timing of the dissolution was normally chosen by the prime minister see relationship with the Government below ; however, as a result of the Fixed-Term Parliaments Act , Parliamentary terms are now fixed at five years, except in the event of a successful vote of no confidence by the Commons. Conventionally, all elections in the United Kingdom are held on a Thursday. The Electoral Commission is unsure where this convention arose, but dates it to , with the suggestion that it was made to coincide with market day; this would ease voting for those who had to travel to the towns to cast their ballot. The deposit seeks to discourage frivolous candidates. Each constituency returns one Member, using the first-past-the-post electoral system, under which the candidate with a plurality of votes wins. Minors, Members of the House of Lords, prisoners, and insane persons are not qualified to become Members of the House of Commons. In order to vote, one must be a resident of the United Kingdom as well as a citizen of the United Kingdom, of a British overseas territory , of the Republic of Ireland , or of a member of the Commonwealth of Nations. British citizens living abroad are allowed to vote for 15 years after moving from the United Kingdom. No person may vote in more than one constituency. Once elected, Members of Parliament normally continue to serve until the next dissolution of Parliament. If a Member, however, dies or ceases to be qualified see qualifications below , his or her seat falls vacant. It is also possible for the House of Commons to expel a Member, but this power is exercised only in cases of serious misconduct or criminal activity. In each case, a vacancy may be filled by a by-election in the appropriate constituency, with the same electoral system as in general elections. The term "Member of Parliament" is normally used only to refer to Members of the House of Commons, even though the House of Lords is also a part of Parliament. Members of the House of Commons may use the post-nominal letters "MP". Qualifications There are numerous qualifications that apply to Members of Parliament. Most importantly, one must be aged at least 18 the limit was 21 until S. These restrictions were introduced by the British Nationality Act , but were previously far more stringent: Members of the House of Lords may not serve in the House of Commons, or even vote in parliamentary elections; however, they are permitted to sit in the chamber during debates. A person may not sit in the Commons if he or she is the subject of a Bankruptcy Restrictions Order applicable in England and Wales only , or if he or she is adjudged bankrupt in Northern Ireland , or if his or her estate is sequestered in Scotland. Under the Mental Health Act , two specialists must report to the Speaker that a Member is suffering from mental illness before a seat can be declared vacant. There also exists a common law precedent from the 18th century that the " deaf and dumb " are ineligible to sit in the Lower House[citation needed]; this precedent, however, has not been tested in recent years. Jack Ashley continued to serve as an MP for 25 years after becoming profoundly deaf. Anyone found guilty of high

treason may not sit in Parliament until he or she has either completed the term of imprisonment, or received a full pardon from the Crown. Moreover, anyone serving a prison sentence of one year or more is ineligible. Finally, the Representation of the People Act disqualifies for ten years those found guilty of certain election-related offences. Several other disqualifications are codified in the House of Commons Disqualification Act Ministers, even though they are paid officers of the Crown, are not disqualified. The rule that precludes certain Crown officers from serving in the House of Commons is used to circumvent a resolution adopted by the House of Commons in , under which Members are not permitted to resign their seats. In practice, however, they always can. Should a Member wish to resign from the Commons , he or she may request appointment to one of two ceremonial Crown offices: These offices are sinecures that is, they involve no actual duties ; they exist solely in order to permit the "resignation" of Members of the House of Commons. The Chancellor of the Exchequer is responsible for making the appointment, and, by convention, never refuses to do so when asked by a Member who desires to leave the House of Commons. The Leader of the House is a member of the cabinet, and carries out government duties in addition to their roles at the House of Lords. Most heads of government departments sit in the Commons, and are therefore not permitted to answer questions or contribute to debates in the Lords. But there are a number of ministers in the Lords. For departments which do not have a minister in the Lords, the team of government whips are allocated departmental briefs so that there is always someone to answer for government policy and actions. Officers The Speaker presides over debates in the House of Commons, as depicted in the above print commemorating the destruction of the Commons Chamber by fire in At the beginning of each new parliamentary term, the House of Commons elects one of its members as a presiding officer, known as the Speaker. If the incumbent Speaker seeks a new term, then the House may re-elect him or her merely by passing a motion; otherwise, a secret ballot is held. A Speaker-elect cannot take office until he or she has been approved by the Sovereign; the granting of the royal approbation, however, is a formality. The Speaker is assisted by three Deputy Speakers, the most senior of which holds the title of Chairman of Ways and Means. These titles derive from the Committee of Ways and Means, a body over which the Chairman once used to preside; even though the Committee was abolished in , the traditional titles of the Deputy Speakers are still retained. Whilst presiding, the Speaker or Deputy Speaker wears ceremonial dress. The presiding officer may also wear a wig, but this tradition was abandoned by a former Speaker, Betty Boothroyd. Michael Martin , who succeeded the office also did not wear a wig whilst in the chamber. The current speaker, John Bercow , has chosen to wear a gown over a lounge suit, a decision which has sparked much debate and opposition. The Speaker or deputy presides from a chair at the front of the House. The Speaker is also chairman of the House of Commons Commission , which oversees the running of the House, and he or she controls debates by calling on members to speak. If a member believes that a rule or Standing Order has been breached, he or she may raise a "point of order", on which the Speaker makes a ruling that is not subject to any appeal. The Speaker may discipline members who fail to observe the rules of the House. Thus, the Speaker is far more powerful than his Lords counterpart, the Lord Speaker , who has no disciplinary powers. Customarily, the Speaker and the deputies are non-partisan; they do not vote, or participate in the affairs of any political party. By convention, a Speaker seeking re-election to parliament is not opposed in his or her constituency by any of the major parties. The lack of partisanship continues even after the Speaker leaves the House of Commons. He or she is a permanent official, not a Member of the House itself. The Clerk advises the Speaker on the rules and procedure of the House, signs orders and official communications, and signs and endorses bills. He or she chairs the Board of Management, which consists of the heads of the six departments of the House. The Serjeant-at-Arms carries the ceremonial Mace , a symbol of the authority of the Crown and of the House of Commons, into the House each day in front of the Speaker, and the Mace is laid upon the Table of the House during sittings. The Commons chamber is small and modestly decorated in green, in contrast with the large, lavishly furnished red Lords chamber. There are benches on two sides of the chamber, divided by a centre aisle. The Clerks sit at one end of the Table, close to the Speaker so that they may advise him or her on procedure when necessary. In

front of each set of benches a red line is drawn on the carpet, which members are traditionally not allowed to cross during debates. It has been suggested that the distance between the lines in front of each set of benches is the length of two swords, thus stopping a member from attacking a member on the opposing side; however, the only person who is allowed to wear or carry a sword in the chamber is the Serjant-at-Arms. Government ministers and the leader of the Opposition and the Shadow Cabinet sit on the front rows, and are known as "frontbenchers". Other Members of Parliament, in contrast, are known as "backbenchers". Oddly, all Members of Parliament cannot fit in the Chamber, which can seat only of the Members. Members who arrive late must stand near the entrance of the House if they wish to listen to debates. Sittings in the Chamber are held each day from Monday to Thursday, and also on some Fridays. During times of national emergency, the House may also sit at weekends. Sittings of the House are open to the public, but the House may at any time vote to sit in private. This has been done only twice since Traditionally, a Member who desired that the House sit privately could shout "I spy strangers" and a vote would automatically follow. In the past, when relations between the Commons and the Crown were less than cordial, this procedure was used whenever the House wanted to keep its debate private. More often, however, this device was used to delay and disrupt proceedings; as a result, it was abolished in Now, Members seeking that the House sit in private must make a formal motion to that effect. Public debates are broadcast on the radio, and on television by BBC Parliament , and are recorded in Hansard. Sessions of the House of Commons have sometimes been disrupted by angry protesters throwing objects into the Chamber from the galleriesâ€”items thrown include leaflets, manure, flour see Fathers 4 Justice House of Commons protest , and a canister of chlorobenzylidene malonitrile tear gas. Even members have been known to disturb proceedings of the House; for instance, in , Conservative MP Michael Heseltine seized and brandished the Mace of the House during a heated debate. However, perhaps the most famous disruption of the House of Commons was caused by King Charles I , who entered the Commons Chamber in with an armed force in order to arrest five members for high treason. This action was deemed a breach of the privilege of the House, and has given rise to the tradition that the monarch may not set foot in the House of Commons. When he arrives to deliver his summons, the doors of the Commons Chamber are traditionally slammed shut in his face, symbolising the right of the Lower House to debate without interference. The Gentleman Usher then knocks on the door three times with his Black Rod, and only then is granted admittance. During debates, Members may speak only if called upon by the Speaker or a Deputy Speaker, if the Speaker is not presiding. Traditionally, the presiding officer alternates between calling Members from the Government and Opposition. The prime minister, the Leader of the Opposition, and other leaders from both sides are normally given priority. Formerly, all Privy Counsellors were also granted priority; however, the modernisation of Commons procedure in led to the abolition of this tradition. Traditionally, Members do not refer to each other by name, but by constituency, using forms such as "the Honourable Member for [constituency]," or, in the case of Privy Counsellors, "the Right Honourable Member for [constituency]. The Speaker enforces the rules of the House, and may warn and punish Members who deviate from them. In the case of grave disorder , the Speaker may adjourn the House without taking a vote.

SPEECH ON LITERARY PROPERTY DELIVERED IN THE HOUSE OF COMMONS, 18TH MAY, 1837 pdf

9: 18/04/ â€¹ House of Commons

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Click here for the Commentary Page. For another version of these speeches, with introductory commentary by Eric Flint, click here. Serjeant Talfourd 1 obtained leave to bring in a bill to amend the law of copyright. The object of this bill was to extend the term of copyright in a book to sixty years, reckoned from the death of the writer. On the fifth of February Mr. Serjeant Talfourd moved that the bill should be read a second time. In reply to him the following Speech was made. The bill was rejected by 45 votes to The law and its amendment may be summarized thus: Copyright for life or 28 years, whichever longer. Copyright for life and 60 years Mahon: Copyright for life and 25 years Macaulay: Copyright for life or 42 years, whichever longer] Though, Sir, it is in some sense agreeable to approach a subject with which political animosities have nothing to do, I offer myself to your notice with some reluctance. It is painful to me to take a course which may possibly be misunderstood or misrepresented as unfriendly to the interests of literature and literary men. It is painful to me, I will add, to oppose my honorable and learned friend on a question which he has taken up from the purest motives, and which he regards with a parental interest. These feelings have hitherto kept me silent when the law of copyright has been under discussion. But as I am, on full consideration, satisfied that the measure before us will, if adopted, inflict grievous injury on the public, without conferring any compensating advantage on men of letters, I think it my duty to avow that opinion and to defend it. The first thing to be done, Sir, is to settle on what principles the question is to be argued. Are we free to legislate for the public good, or are we not? Is this a question of expediency, or is it a question of right? Many of those who have written and petitioned against the existing state of things treat the question as one of right. The law of nature, according to them, gives to every man a sacred and indefeasible property in his own ideas, in the fruits of his own reason and imagination. The legislature has indeed the power to take away this property, just as it has the power to pass an act of attainder for cutting off an innocent mans head without a trial. But, as such an act of attainder would be legal murder, so would an act invading the right of an author to his copy be, according to these gentlemen, legal robbery. Now, Sir, if this be so, let justice be done, cost what it may. I am not prepared like my honorable and learned friend, to agree to a compromise between right and expediency, and to commit an injustice for the public convenience. But I must say, that his theory soars far beyond the reach of my faculties. It is not necessary to go, on the present occasion, into a metaphysical inquiry about the origin of the right of property; and certainly nothing but the strongest necessity would lead me to discuss a subject so likely to be distasteful to the House. I agree, I own, with Paley in thinking that property is the creature of the law, and that the law which creates property can be defended only on this ground, that it is a law beneficial to mankind. But it is unnecessary to debate that point. For, even if I believed in a natural right of property, independent of utility and anterior to legislation, I should still deny that this right could survive the original proprietor. Few, I apprehend, even of those who have studied in the most mystical and sentimental schools of moral philosophy, will be disposed to maintain that there is a natural law of succession older and of higher authority than any human code. If there be, it is quite certain that we have abuses to reform much more serious than any connected with the question of copyright. For this natural law can be only one; and the modes of succession in the QueenXs dominions are twenty. To go no further than England, land generally descends to the eldest son. In Kent the sons share and share alike. In many districts the youngest takes the whole. Now he can dispose of the whole by will: If a man dies intestate, his personal property generally goes according to the statute of distributions; but there are local customs which modify that statute. Now which of all these systems is conformed to the eternal standard of right? Is it primogeniture, or gavelkind, or borough English? Are wills jure divino? Are the two witnesses jure divino? Might not the pars rationabilis of our old law have a fair claim to be regarded as of celestial institution? Was the statute of distributions enacted in Heaven long before it was

adopted by Parliament? Or is it to Custom of York, or to Custom of London, that this preeminence belongs? Surely, Sir, even those who hold that there is a natural right of property must admit that rules prescribing the manner in which the effects of deceased persons shall be distributed are purely arbitrary, and originate altogether in the will of the legislature. If so, Sir, there is no controversy between my honorable and learned friend and myself as to the principles on which this question is to be argued. For the existing law gives an author copyright during his natural life; nor do I propose to invade that privilege, which I should, on the contrary, be prepared to defend strenuously against any assailant. The only point in issue between us is, how long after an authors death the State shall recognize a copyright in his representatives and assigns; and it can, I think, hardly be disputed by any rational man that this is a point which the legislature is free to determine in the way which may appear to be most conducive to the general good. We may now, therefore, I think, descend from these high regions, where we are in danger of being lost in the clouds, to firm ground and clear light. Let us look at this question like legislators, and after fairly balancing conveniences and inconveniences, pronounce between the existing law of copyright and the law now proposed to us. The question of copyright, Sir, like most questions of civil prudence, is neither black nor white, but grey. The system of copyright has great advantages and great disadvantages; and it is our business to ascertain what these are, and then to make an arrangement under which the advantages may be as far as possible secured, and the disadvantages as far as possible excluded. The charge which I bring against my honorable and learned friends bill is this, that it leaves the advantages nearly what they are at present, and increases the disadvantages as least four fold. The advantages arising from a system of copyright are obvious. It is desirable that we should have a supply of good books: You cannot depend for literary instruction and amusement on the leisure of men occupied in the pursuits of active life. Such men may occasionally produce compositions of great merit. But you must not look to such men for works which require deep meditation and long research. Works of that kind you can expect only from persons who make literature the business of their lives. Of these persons few will be found among the rich and the noble. The rich and the noble are not impelled to intellectual exertion by necessity. They may be impelled to intellectual exertion by the desire of distinguishing themselves, or by the desire of benefiting the community. But it is generally within these walls that they seek to signalize themselves and to serve their fellow creatures. Both their ambition and their public spirit, in a country like this, naturally take a political turn. It is then on men whose profession is literature, and whose private means are not ample, that you must rely for a supply of valuable books. Such men must be remunerated for their literary labour. And there are only two ways in which they can be remunerated. One of those ways is patronage; the other is copyright. There have been times in which men of letters looked, not to the public, but to the government, or to a few great men, for the reward of their exertions. Now, Sir, I well know that there are cases in which it is fit and graceful, nay, in which it is a sacred duty to reward the merits or to relieve the distresses of men of genius by the exercise of this species of liberality. But these cases are exceptions. I can conceive no system more fatal to the integrity and independence of literary men than one under which they should be taught to look for their daily bread to the favour of ministers and nobles. I can conceive no system more certain to turn those minds which are formed by nature to be the blessings and ornaments of our species into public scandals and pests. We have, then, only one resource left. We must betake ourselves to copyright, be the inconveniences of copyright what they may. Those inconveniences, in truth, are neither few nor small. Copyright is monopoly, and produces all the effects which the general voice of mankind attributes to monopoly. My honorable and learned friend talks very contemptuously of those who are led away by the theory that monopoly makes things dear. That monopoly makes things dear is certainly a theory, as all the great truths which have been established by the experience of all ages and nations, and which are taken for granted in all reasonings, may be said to be theories. It is a theory in the same sense in which it is a theory, that day and night follow each other, that lead is heavier than water, that bread nourishes, that arsenic poisons, that alcohol intoxicates. If, as my honorable and learned friend seems to think, the whole world is in the wrong on this point, if the real effect of monopoly is to make articles good and cheap, why does he stop short in his career of change? Why does he

limit the operation of so salutary a principle to sixty years? Why does he consent to anything short of a perpetuity? He told us that in consenting to anything short of a perpetuity he was making a compromise between extreme right and expediency. But if his opinion about monopoly be correct, extreme right and expediency would coincide. Why should we no revive all those old monopolies which, in Elizabeths reign, galled our fathers so severely that, maddened by intolerable wrong, they opposed to their sovereign a resistance before which her haughty spirit quailed for the first and for the last time? Was it the cheapness and excellence of commodities that then so violently stirred the indignation of the English people? I believe, Sir, that I may safely take it for granted that the effect of monopoly generally is to make articles scarce, to make them dear, and to make them bad. And I may with equal safety challenge my honorable friend to find out any distinction between copyright and other privileges of the same kind; any reason why a monopoly of books should produce an effect directly the reverse of that which was produced by the East India Companys monopoly of tea, or by Lord Essexs monopoly of sweet wines. Thus, then, stands the case. It is good that authors should be remunerated; and the least exceptionable way of remunerating them is by a monopoly. Yet monopoly is an evil. For the sake of the good we must submit to the evil but the evil ought not to last a day longer than is necessary for the purpose of securing the good. Now, I will not affirm, that the existing law is perfect, that it exactly hits the point at which the monopoly ought to cease; but this I confidently say, that the existing law is very much nearer that point than the law proposed by my honorable and learned friend. For consider this; the evil effects of the monopoly are proportioned to the length of its duration. But the good effects for the sake of which we bear with the evil effects are by no means proportioned to the length of its duration. A monopoly of sixty years produces twice as much evil as a monopoly of thirty years, and thrice as much evil as a monopoly of twenty years.

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