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[HANSARD 1803–2005](#) → [1810s](#) → [1812](#) → [February 1812](#) → [27 February 1812](#) → [Lords Sitting](#)

FRAME WORK BILL.

[Lord Byron (George Gordon Byron, 6th Baron Byron). (Feb. 27, 1812). FRAME WORK BILL (first Lords speech), Vol. 21, cc964-79. Hansard, Parliament (UK). Reproduced for educational purposes only. Fair Use relied upon. Source: <https://api.parliament.uk/historic-hansard/lords/1812/feb/27/frame-work-bill>]

HL Deb 27 February 1812 vol 21 cc964-79

["[Weaving] Frame Breakers" were called "Luddites"]

The order of the day for the second reading of this Bill being read,

The Earl of Liverpool observed, that as the present Bill contained some enactments of a novel nature, it was necessary he should state to the House some of those grounds upon which he thought that it ought to pass into a law. The transactions which had taken place, and were still going on in the county of Nottingham, were pretty well known to most of their lordships, and he rose to state that no exertions were wanting on the part of government to remedy the evil and ensure the return of tranquillity and order under the existing laws'; and this he believed was the conviction of those most conversant on the subject, and who had opportunities of local information. It had at length, however, become necessary to recur to, and express the determination of parliament on the subject. The Bill in question was divided into two parts; which most undoubtedly in some respects proceeded on, different grounds. The second part was introduced with a view to the detection of the offenders, which was the principal object. It went to compel individuals in whose houses frames should be broken, to give information thereof to the magistrates, and the provisions of this part of the Bill were calculated as much as possible to insure detection; and it was deemed necessary to render the offences provided against by the Bill capital. He was aware there existed more difference of opinion on this than on any other point: he knew it would be urged, that such an enactment would only tend to render detection more difficult, and the chance of conviction more uncertain. To this, however, he thought it could be rationally objected, that the terror of the law would in many cases operate, where the apprehension of lesser punishments would be found ineffectual. He, for his own part, could see no well-founded objection to try the effects of the measure which was proposed. The chief difficulty in the present case, he repeated, was the difficulty of detection under the existing applicable law; and he believed at the same time, that the operating dread of the severer punishment would, in the present case, be attended with beneficial effects. In addition to this, he observed, that the act was proposed but as a temporary one, and therefore the legislature would have a future opportunity of revising it, on a consideration of its effects. If it should prove ineffectual, they would have an opportunity of considering how far it would be wise or expedient to continue it. But considering all the circumstances of the case, he was firmly of opinion, that the measures proposed in the Bill were the most proper for the adoption of the legislature; and that the other House of Parliament were well grounded in sending it up for the concurrence of their lordships. He would therefore move, that this Bill be now read a second time.

Lord Byron rose, and (for the first time) addressed their lordships as follows:

My Lords; the subject now submitted to your lordships for the first time, though new to the House, is by no means new to the country. I believe it had occupied the serious thoughts of all descriptions of persons, long before its introduction to the notice of that legislature, whose interference alone could be of real service. As a person in some degree connected with the suffering county, though a stranger not only to this House in general, but to almost every individual whose attention I presume to solicit, I must claim some portion of your lordships' indulgence, whilst I offer a few observations on a question in which I confess myself deeply interested.

To enter into any detail of the Riots would be superfluous: the House is already aware that every outrage short of actual bloodshed, has been perpetrated, and that the proprietors of the Frames obnoxious to the rioters, and all persons supposed to be connected with them, have been liable to insult and violence. During the short time I recently passed in Nottinghamshire, not twelve hours elapsed without some fresh act of violence; and on the day I left the

county I was informed that forty frames had been broken the preceding evening, as usual, without resistance and without detection.

Such was then the state of that county, and such I have reason to believe it to be at this moment. But whilst these outrages must be admitted to exist to an alarming extent, it cannot be denied that they have arisen from circumstances of the most unparalleled distress: The perseverance of these miserable men in their proceedings, tends to prove that nothing but absolute want could have driven a large, and once honest and industrious, body of the people, into the commission of excesses so hazardous to themselves, their families and the community. At the time, to which I allude, the town and county were bur thened with large detachments of the military; the police was in motion, the magistrates assembled, yet all the movements civil and military had led to—nothing. Not a single instance had occurred of the apprehension of any real delinquent actually taken in the fact, against whom there existed legal evidence sufficient for conviction. But the police, however useless, were by no means idle: several notorious delinquents had been detected; men, liable to conviction, on the clearest evidence, of the capital crime of Poverty; men, who had been nefariously guilty of lawfully begetting several children, whom, thanks to the times! they were unable to maintain. Considerable injury has been done to the proprietors of the improved Frames. These machines were to them an advantage, inasmuch as they superseded the necessity of employing a number of workmen, who were left in consequence to starve. By the adoption of one species of Frame in particular, one man performed the work of many, and the superfluous labourers were thrown out of employment. Yet it is to be observed, that the work thus executed was inferior in quality; not marketable at home, and merely hurried over with a view to exportation. It was called in the cant of the trade, by the name of 'Spider work.' The rejected workmen in the blindness of their ignorance, instead of rejoicing at these improvements in arts so beneficial to mankind, conceived themselves to be sacrificed to improvements in mechanism. In the foolishness of their hearts they imagined, that the maintenance and well doing of the industrious poor, were objects of greater consequence than the enrichment of a few individuals by any improvement, in the implements of trade, which threw the workmen out of employment, and rendered the labourer unworthy of his hire. And it must be confessed that although the adoption of the enlarged machinery in that state of our commerce which the country once boasted, might have been beneficial to the master without being detrimental to the servant; yet, in the present situation of our manufactures, rotting in warehouses, without a prospect of exportation, with the demand for work and workmen equally diminished; Frames of this description, tend materially to aggravate the distress and discontent of the disappointed sufferers. But the real cause of these distresses and consequent disturbances lies deeper. When we are told that these men are leagued together not only for the destruction of their own comfort, but of their very means of subsistence, can we forget that it is the bitter policy, the destructive warfare of the last 18 years, which has destroyed their comfort, your comfort, all mens' comfort? That policy, which, originating with "great statesmen now no more," has survived the dead to become a curse on the living, unto the third and fourth generation! These men never destroyed their looms till they were become useless, worse than useless; till they were become actual impediments to their exertions in obtaining their daily bread. Can you, then, wonder that in times like these, when bankruptcy, convicted fraud, and imputed felony are found in a station not far beneath that of your lordships, the lowest, though once most useful portion of the people should forget their duty in their distresses, and become only less guilty than one of their representatives? But while the exalted offender can find means to baffle the law, new capital punishments must be devised, new snares of death must be spread for the wretched mechanic who is famished into guilt. These men were willing to dig, but the spade was in other hands: they were not ashamed to beg, but there was none to relieve them: their own means of subsistence were cut off, all other employments pre-occupied, and their excesses, however to be deplored and condemned, can hardly be subject of surprize.

It has been stated that the persons in the temporary possession of Frames connive at their destruction; if this be proved upon enquiry, it were necessary that such material accessories to the crime, should be principals in the punishment. But I did hope, that any measure proposed by his Majesty's government, for your lordships' decision, would have had conciliation for its basis; or, if that were hopeless, that some previous enquiry, some deliberation would have been deemed requisite; not that we should have been called at once without examination, and without

cause, to pass sentences by wholesale, and sign death-warrants blindfold. But, admitting that these men had no cause of complaint; that the grievances of them and their employers were alike groundless; that they deserved the worst; what inefficiency, what imbecility has been evinced in the method chosen to reduce them! Why were the military called out to be made a mockery of, if they were to be called out at all? As far as the difference of seasons would permit, they have merely parodied the summer campaign of major Sturgeon; and, indeed, the whole proceedings, civil and military, seemed on the model of those of the Mayor and Corporation of Garratt.—Such marchings and counter marchings! from Nottingham to Bullwell, from Bullwell to Banford, from Banford to Mansfield! and when at length the detachments arrived at their destination, in all "the pride, pomp, and circumstance of glorious war," they came just in time to witness the mischief which had been done, and ascertain the escape of the perpetrators, to collect the "spolia opima" in the fragments of broken frames, and return to their quarters amidst the derision of old women, and the hootings of children. Now, though in a free country, it were to be wished, that our military should never be too formidable, at least to ourselves, I cannot see the policy of placing them in situations where they can only be made ridiculous. As the sword is the worst argument that can be used, so should it be the last. In this instance it has been the first; but providentially as yet only in the scabbard. The present measure will, indeed, pluck it from the sheath; yet had proper meetings been held in the earlier stages of these riots, had the grievances of these men and their masters (for they also had their grievances) been fairly weighed and justly examined, I do think that means might have been devised to restore these workmen to their avocations, and tranquillity to the county. At present the county suffers from the double infliction of an idle military and a starving population. In what state of apathy have we been plunged so long, that now for the first time the House has been officially apprized of these disturbances? All this has been transacting within 130 miles of London, and yet we, "good easy men, have deemed full sure our greatness was a ripening," and have sat down to enjoy our foreign triumphs in the midst of domestic calamity. But all the cities you have taken, all the armies which have retreated before your leaders are but paltry subjects of self congratulation, if your land divides against itself, and your dragoons and your executioners must be let loose against your fellow citizens.—You call these men a mob, desperate, dangerous, and ignorant; and seem to think that the only way to quiet the "Bellua multorum capitum" is to lop off a few of its superfluous heads,—But even a mob may be better reduced to reason by a mixture of conciliation and firmness, than by additional irritation and redoubled penalties. Are we aware of our obligations to a mob? It is the mob that labour in your fields and serve in your houses, that man your navy, and recruit your army, that have enabled you to defy all the world, and can also defy you when neglect and calamity have driven them to despair. You may call the people a mob, but do not forget, that a mob too often speaks the sentiments of the people. And here I must remark with what alacrity you are accustomed to fly to the succour of your distressed allies, leaving the distressed of your own country to the care of Providence or—the Parish. When the Portuguese suffered under the retreat of the French every arm was stretched out, every band was opened, from the rich man's largess, to the widow's mite, all was bestowed to enable them to rebuild their villages and replenish their granaries. And at this moment, when thousands of misguided but most unfortunate fellow-countrymen are struggling with the extremes of hardships and hunger, as your charity began abroad it should end at home. A much less sum, a tithe of the bounty bestowed on Portugal, even if those men (which I cannot admit without enquiry) could not have been restored to their employments, would have rendered unnecessary the tender mercies of the bayonet and the gibbet. But doubtless our friends have too many foreign claims to admit a prospect of domestic relief; though never did such objects demand it. I have traversed the seat of war in the peninsula, I have been in some of the most oppressed provinces of Turkey, but never under the most despotic of infidel governments did I behold such squalid wretchedness as I have seen since my return in the very heart of a Christian country. And what are your remedies? After months of inaction, and months of action worse than inactivity, at length comes forth the grand specific, the never failing nostrum of all state physicians, from the days of Draco to the present time. After feeling the pulse and shaking the head over the patient, prescribing the usual course of warm water and bleeding, the warm water of your maukish police, and the lancets of your military, these convulsions must terminate in death, the sure consummation of the prescriptions of all political Sangrados. Setting aside the palpable injustice and the certain inefficiency of the Bill, are there not capital punishments sufficient in your statutes? Is there not blood enough upon your penal code that more must be poured forth to ascend to Heaven and testify against you? How will you carry the Bill into effect? Can you commit a whole

county to their own prisons? Will you erect a gibbet in every field and hang up men like scarecrows? or will you proceed (as you must to bring this measure into effect) by decimation? place the county under martial law? depopulate and lay waste all around you? and restore Sherwood forest as an acceptable gift to the crown, in its former condition of a royal chase and an asylum for outlaws? Are these the remedies for a starving and desperate populace? Will the famished wretch who has braved your bayonets, be appalled by your gibbets? When death is a relief, and the only relief it appears that you will afford him; will he be dragooned into tranquillity? Will that which could not be effected by your grenadiers, be accomplished by your executioners? If you proceed by the forms of law where is your evidence? Those who have refused to impeach their accomplices, when transportation only was the punishment, will hardly be tempted to witness against them when death is the penalty. With all due deference to the noble lords opposite, I think a little investigation, some previous enquiry would induce even them to change their purpose. That most favourite state measure, so marvellously efficacious in many and recent instances, temporizing, would not be without its advantages in this. When a proposal is made to emancipate or relieve, you hesitate, you deliberate for years, you temporise and tamper with the minds of men; but a death-bill must be passed offhand, without a thought of the consequences. Sure I am from what I have heard, and from what I have seen, that to pass the Bill under all the existing circumstances, without enquiry, without deliberation, would only be to add injustice to irritation, and barbarity to neglect. The framers of such a Bill must be content to inherit the honours of that Athenian lawgiver whose edicts were said to be written not in ink but in blood. But suppose it past; suppose one of these men, as I have seen them,—meagre with famine, sullen with despair, careless of a life which your lordships are perhaps about to value at something less than the price of a stocking-frame—suppose this man surrounded by the children for whom he is unable to procure bread at the hazard of his existence, about to be torn for ever from a family which he lately supported in peaceful industry, and which it is not his fault that he can no longer so support, suppose this man, and there are ten thousand such from whom you may select your Victims, dragged into court, to be tried for this new offence, by this new law; still, there are two things wanting to convict and condemn him; and these are, in my opinion, —Twelve Butchers for a Jury, and a Jefferies for a Judged!

Lord Holland complimented his noble friend who spoke last on the ability which he had displayed in this his first speech in that House, and expressed his astonishment that ministers had not thought proper to reply to it. The rejection of a Bill brought forward under such circumstances, he admitted to be an evil; but then, the present one was so extremely objectionable, that he felt it his duty to oppose it. He was not much surprised at this measure, for he never was surprised at seeing any thing foolish coming from the present ministers; but the fact was, that the apprehension of such a law had already rendered the chances of detection less probable. This he had from the best authority. But he supposed, when he adverted to the general principle that the severity of the punishment increased the difficulty of detection and conviction, he should be told, that this was speculation and theory. They were for proceeding from day to day, without rudder or compass, as the winds and Waves carried them. But what was the real state of this case? Here was a fact, that the apprehension of such a law had rendered detection more difficult; and yet, in the face of this fact, they proposed to pass the law, as if there had been no other mode of getting at the opinion of parliament. Indeed, such a law was but a very bad way of sending out a strong expression of the opinion of the legislature against this Offence. Our penal code was too thick set with these penalties of death, to render that a very explicit declaration of the sense of parliament as to the enormity of the crime. The people would recollect, that the legislature had declared, that stealing to the value of 40s. from a canal, deserved death; and with this in their minds, they could not easily be persuaded that parliament was deeply impressed with the magnitude of the offence merely because it punished it with death. He was far, however, from thinking lightly of this crime; for few crimes, could he more ruinous to the power, wealth, and prosperity of any country; but it did not follow, that the conclusion drawn by the noble Secretary of State was correct, The noble Secretary admitted that the general principle, that the severity of the punishment increased the difficulty of detection might in some cases be applicable, but here he thought the terror of death necessary to prevent the commission of the crime. Yet of all cases this was one in which this terror could have the least effect; since the offence was carried on by a combination of persons bound together by a mistaken principle of honour. But leaving the general principle, he came to the Bill itself; and observed, that the only difficulty was in the detection. If the offenders

could be detected, the law was already severe enough. If the ground on, which the Bill rested was stripped of the legal jargon in which acts of parliament were necessarily involved, and reduced to a plain logical proposition, the absurdity would be too glaring to be for a moment entertained. The amount of it was this: "Whereas it has been found difficult to detect these offenders, we will render that detection still more difficult." This law might irritate and exasperate; but it would do nothing more. So much as to the first part of the Bill; but even the second part, intended to facilitate detection, was not founded on wise principles. He should have thought a civil process much more desirable, by which the person having a frame belonging to another broken in his house, should be liable for damages to the owner, unless he proved that he had used every reasonable exertion to protect it. He agreed with his noble friend in disapproving the manner in which the military had been employed, and urged the propriety of an inquiry to open the eyes of the deluded multitude. Something might be done to break the combination, by offering rewards to persons making discoveries without dragging them to a court of justice to give evidence. If the punishment of death was improper for such an offence it was no excuse to say that the law was only temporary. Hanging our fellow-subjects was not a proper way of making experiments. It might appear, on enquiry, that the cause of this evil was the fluctuation of the market—the tampering with our trade, which was regulated only by the caprice of ministers. A change of policy would then be found to be the proper remedy. The present course was fraught with danger, and he must discharge his duty by opposing the second reading of the Bill without a previous enquiry. He concluded by moving, that the second reading be postponed till that day three weeks.

The Lord Chancellor observed, that the two parts of the Bill ought to be taken together, and the object of both united was the prevention of the offence. The outrages at Nottingham originated in a mistaken notion of those concerned in them, that their interests were injured by the introduction of certain improvements in machinery, when the fact was, that all these improvements contributed to their advantage, and that by the conduct they were now persisting in, they were deeply injuring their own interests, and destroying their own comforts. From, however, the plan and system adopted by them, the difficulty of detection had become very great, and the object of the second part of the Bill was to increase the means of detection, whilst the first part of it, by enacting the penalty of death, there was every reason to believe would operate, by the terror of that punishment, to prevent the offence. The prevention of offences was the legitimate object of enacting the punishment of death; and there was every reason to suppose that this object would be attained in the present instance, by combining the terror of this punishment with the increased facility of detection.

The Earl of Lauderdale agreed with the noble and learned lord, that the outrages at Nottingham originated in a mistaken notion of those concerned in them of their own interests, for nothing could be more certain than that every improvement of machinery contributed to improve the condition of persons employed in the manufactures in which such improvements were made, there being in a very short time after such improvements were introduced, a greater demand for labour than there was before. Much, however, of the present distressed state of the manufacturers arose from the system of policy pursued by ministers; and he was satisfied, that before being called upon to pass a measure like the present, an enquiry ought to be instituted, and that that enquiry ought to embrace the effect of the Orders in Council, the state of the commerce of the country, and also of its circulation. The noble earl, after ridiculing the vigour of the ministers in sending down two justices and two Bow street runners to Nottingham, adverted to the fact, that it had been found necessary, by the advice of the judges, and upon the reports of the revenue boards, to do away the capital punishments in cases of smuggling, because it was impossible to find juries to convict: and yet in a case depending on the same principle, they enacted the punishment of death, when it was notorious that the great evil was the difficulty of detection. The measure evinced an utter ignorance of the principles of law, and of the real state of the country.

The Earl of Harrowby contended, that enquiry could answer no useful purpose. If enquiry were to embrace the Orders in Council, the state of the commerce and circulation of the country, the investigation must be indefinite, the outrages at Nottingham must in the mean time go on, and all attempt to suppress them must be postponed ad Græcas Calendas. An inquiry more limited with respect to the outrages themselves, could have no good effect; the offence was, as was

admitted by every one, most injurious to the interests of the community, and every means ought to be adopted to prevent its repetition. The object of the Bill was to increase the means of detection, whilst it inflicted the punishment of death; and surely it was to be expected that the terror of the punishment of death, when the means of detection were increased, would operate to prevent the commission of the offence.

Earl Grosvenor was hostile to extending the penal code by the infliction of the punishment of death for this offence, and contended that information ought first to be laid before the House, to prove that all other means had been ineffectual. Much of these outrages were, he thought, to be attributed to the system of policy pursued by ministers, and he lamented that the Prince Regent should have been advised not to make a change in his councils, convinced as the noble earl was, that the result of a change would have been an improved system of finance, an economical expenditure, and a general amelioration of the situation of the country.

Lord Grenville found it impossible to allow this question to pass, without expressing in the strongest terms which his powers of language could supply, his indignant detestation of the principles on which the Bill was founded, as well as of the arguments by which it was supported. There was now no time for inquiry, they said; but he hoped their lordships were familiar with the wise maxim of a great authority 'de vitâ hominis nulla est cunctatio longa.' When the question was about the life of man, he should have expected that ministers, and especially the noble and learned lord on the woolsack, would have willingly acceded to the delay, if there was the smallest doubt in the mind of any noble lord, whether it was necessary to add to the horrible and sanguinary catalogue of our capital punishments. It had been said, indeed, that no one doubted the fitness of the punishment to the crime. If that was true, he knew not to what purpose his noble friends about him had been speaking. These laws were, unfortunately, not the result of enlarged views, of general principles, but they sprung up one by one upon some momentary necessity; and a noble secretary had astonished him by stating, that there was no general principle to rest upon. But unless all that he had ever thought, all that he had ever heard, all that he had ever read upon the subject, was utterly erroneous, there was no case in which general principles were more necessary to be attended to, and more capable of application than in enacting penal laws, especially when capital punishments came under consideration. To these he trusted their lordships would attend, and not suffer themselves to be drawn aside by these temporary outrages. But if a delay of three weeks could not be allowed in a case where 10,000 of their fellow subjects might be rendered liable to the pains of death, why had there been a delay of two months? The enquiry might by this time have been complete. For six months during which these proceedings had been carried on, no one effectual step had been taken; and yet ministers had the confidence to come now and say, 'Do not ask for delay—trust to us—shut your own eyes and ears, and sign the bloody warrant here presented to you? No, he would not trust ministers before he signed that warrant: he must be satisfied that the offence was commensurate with the pains to be applied. He had no hesitation in saying, that such a punishment ought never to be applied to such an offence; and if their lordships had read one page of that excellent writer Judge Blackstone, they must be aware that he had distinctly said, that the mere frequency of an offence and difficulty of detection was not a ground for a capital punishment. His noble friend had stated, that there were laws in our statute book enacting death in similar cases. He knew it, and deeply regretted it, and wished they could be at once erased from the statute book, if it were for nothing else than to prevent their being resorted to as examples, when the indolence, the ignorance, or the weakness of government led them to enact such laws as this. Here, again, the enlightened Blackstone lent his great authority, for he said that these laws originated in the ignorance of the legislature and the weakness of government. He should have thought inquiry necessary as to this point. It had been assumed that the existing law was ineffectual; but before ministers assumed that fact, they ought to prove that every thing had been done to carry it into execution. On that head there was no information whatever, except the boasted exploit of having sent down two Westminster justices and two Bow-street runners; who, though very conversant in the business of detecting thieves and footpads, were not therefore the roost proper to deal with the Nottingham manufacturers. That was their vigour! But something else had been done worse even than that foolish expedient. There never was a maxim of greater wisdom than that uttered by the noble lord (Byron), who had so ably addressed their lordships that night for the first time, that the military ought never to be employed except in extreme cases, and then they should be effectual, if

possible, rather by the terror of their appearance, than their power of execution. But here they had been employed in a way the most ruinous to their own discipline, and the least efficient for the purpose of checking these outrages. They had been dispersed in small bodies, and made to perform the duties of civil officers. He might be mistaken as to the force of the law as it stood, but why then not inquire? The truth was, that it had been 20 years on the statute book, and never put in execution in one instance. How could ministers say that a law was inefficient which had never been tried? and yet they were not ashamed to come down, and propose to resort to this last dreadful extremity. No; the fault was not in the weakness of the punishment of the present law, but in the want of execution. Let their lordships compare the punishment of transportation for 14 years with the crime of breaking a stocking-frame. Was not the punishment commensurate to the crime? Aye, more than commensurate. His lordship then read some passages from the Bill, from which it appeared, that the intent to commit the crime of breaking a lace-thread, or damaging a web, rendered the offender liable to the pains of death. To this there could be only one answer,—that the punishment would never be inflicted. But as long as he lived, in a country governed by law he never would consent to put it in the power of the crown to put a fellow subject to death for damaging a piece of cotton or lace.

The Lord Chancellor was about to put the question, when

Earl Grey observed, that it was of importance to know what the object of noble lords on the other side was in proposing this Bill. Was it to inflict the penalty of death for the offence stated by his noble friend, as it appeared by the words of the Bill?

The Earl of Liverpool stated, that the wording of the Bill was a matter for discussion in the committee, but the Bill was framed from other bills of a similar nature with reference to machinery.

Lord Holland observed, that it was of importance to know the intent of ministers in proposing a clause in the Bill, inflicting the penalty of death upon the intent to commit the offence described by his noble friend.

The Earl of Lauderdale thought that the House ought not to go on in the consideration of the Bill, until they had some information of what the precise object of ministers was in proposing this Bill; and with that view he moved that the debate be adjourned till Monday.

The Earl of Liverpool stated, that the principle of the Bill was to punish a certain offence with death; the mode of carrying that principle into effect, was matter for discussion in the committee.

Earl Grey observed, that allowing the principle of the Bill to be to punish a certain offence with death, the nature of that offence was a part of the principle of the Bill, and before they could vote for the second reading they ought to be informed what offence it was intended to punish.

The Earl of Liverpool stated, that un-doubtedly it was the intention of government to inflict the punishment of death instead of transportation, and the clauses describing the offence were copied from the Bill, which rendered it a transportable offence.

Lord Grenville said, that what had been stated by the noble lord, was indeed a still stronger reason for adjourning the debate till Monday. Here was a minister, who came down to parliament to inflict the punishment of death upon his fellow-citizens, but for what offence that minister knew not. It was in truth for the credit of ministers themselves that this debate should be adjourned, in order that they might be enabled to explain what offence they intended to punish with death. But whatever they might think, he could not give his vote that the House should be involved in the infamy of going to the second reading of a Bill for inflicting the punishment of death upon their fellow-citizens, without knowing what the nature of the offence was that it was intended to punish.

The House divided on the question that the debate be adjourned till Monday. Contents 17: Not-Contents 32. Majority 15. The-Bill was then read a second time, and committed for Monday. On the motion of the earl of Lauderdale, their lordships were ordered to be summoned for Monday. The noble earl also moved, that the Judges be ordered to attend on Monday, which was negatived.