

was, in three Coffins, wall'd up in a Nich in the Church, prepar'd for it.

The next Day, in the Middle of St. Peter's Church, appear'd a Mausoleum, or Catataco, in Honour of the late Pope, on which was burnt daily, for Three Days, 1000 Pound Weight of Wax-Tapers, and round it five Cardinal Bishops daily perform'd the Obsequies. The Architecture was of the Design of Signior Filippo Beingione, and may be describ'd in the following Manner: On the Top lay the Papal Triple Crown on two Cushions supported by an Urn, and cover'd with Black Velvet, on which were embroider'd the Arms of the Pope, and those of the holy See: A little lower was a Medalion of the Pope's Head represented: On the Body of the Urn were some Remarkables done by, or happening in the Time of the late Pope; as, ~~1st~~, on the one Side was the Victory of Prince Eugene over the Turks near Belgrade, and underneath this Motto, *Redemit eos de manu inimicorum*, Psal. 105. ver. 10. [He redeemed them from the Hand of ~~an~~ Enemy.] On the other Side, towards the Chapel of the Holy Sacrament, was describ'd, the generous sending of Provisions to *Marseilles* at the breaking out of the present Plague; and — *Civitatibus praebebat alimentum*, Machab. 14. ver. 10. [He provided Victuals for the Cities.] On the other Side towards the Canons Choir, were distant Views of several Churches in Rome, repair'd and adorn'd by the late Pope; and — *Dilexit decorem domus domini*, Psal. 25. ver. 5. &c. [He loved the Beauty of the House of the Lord.] On the Side facing St. Peter's Chair and the High Altar, the Pope is represented visiting the *Spirito Santo*, and other Hospitals of Rome; and — *Descendit ut videret*, Paralip. 22. ver. 6. [He went down to visit them.] This Urn was supported by an octangular Pedestal, in four Parts of which were represented the four following Facts: In the first, facing the Chapel of the holy Sacrament, were the Canonizations of the four last Saints in 1712. S. Pius V. Papa; S. Andrea Avellino; S. Felice de Cantalice, a Capuchin Monk; and S. Catharine of Bologna: And under them — *Glorificavit & multiplicavit* [He glorified and multiplied them.] On the second, was the late Pope reading his Homilies in a Consistory; and — *In opere & sermone*, Luc. 19. ver. 17. [In Works and in Words.] On the Side towards the High Altar, was

was the Mission of *Monignor di Turno* as Apostolick Commissary into *China*, where he dy'd at *Macao*; and—*In nationes longe mittam*, Aët. Apostol. 22. ver. 21. [I will send thee into far Nations.] On the Face of the Pedestal, fronting the West End, was the Coronation of the late Pope on 27 *Novemb.* 1700; and—*Vocatur a Deo (anquam Aaron.* [He is called of God, as was *Aaron.*] This Passage may seem applicable to all Coronations of this Nature, but is here worthy to be noticed, as the late Pope refus'd for three Days together, and comply'd, not without much Reluctance, not to say by Compulsion: And this seems evidently not to have been his Ambition, he having been ordain'd a Priest but a few Days before he enter'd the Conclave; and to qualify himself, said the first Mass in the *Carthusians* Chapel, at the pressing Instances of his Friends: A rare Example of his Modesty, and not to be parallel'd by any but an *English Cardinal Pole*, afterwards Archbishop of *Canterbury*, who refus'd to the last the Triple Crown.

Round the Catafalco stood 4 Pillars, on whose Summits were fix'd the Arms of the Pope, and the Sides were illuminated with Wax-Tapers, crowded, and on the several Pedestals were the following Inscriptions, viz. On the first, facing the Western Gate—*Clementi XI. Pont. Max. Liberalium Artium Reparatori, beneficentissimo, Pictura & Sculptura Templorum, Regum Majestatem, Operam publicorum pristinam, decus aeternum gratulabuntur.* On the other Side of the same—*Clemens Papa XI. Pontif. Max. Hoc vultu Majestatis pleno omnium oculos in se convertit; sed animo nihil augustius, ore nihil suavius, exemplo in tanta dignitate admirando, quod Christi Vicarium maxime decet, omnibus praeiit, omnibus se aequavit.* On the Side of the Pedestal towards the Chapel of the holy Sacrament—*Clemens XI. Pontif. Max. qui tam sublime dignitatis fastigium summa virtutum omnium praesentia, & rerum praeclare gestarum mole exaequavit supremam merentis Ecclesiae Officia.* On the other Side—*Vera pietatis, sanctioris disciplinae, bonarum artium, vindicem, instauratorem, patronum beneficentissimum, justis religio lacrymis, boni omnes prosequuntur.* On the Pedestal towards the high Altar—*Calo redditur, non te deserit, urbs, aeterna illinc Petri navicula fortius quiescens, te placido lumine respicit.* On the other Side—*Clementi XI. Pontif. Max. Quod sacros mores disciplinamque conservaverit, Calicem aras auxerit, sanctioribus Musis*

sis pene intermortuis spiritum reddiderit, Religio atroci
M. P. On the fourth and last Pillar — *Supremam po-*
testatem quam meritis spectatissimis antevererat, rara animi
moderatione refutavit, invitans ac reluctans suscepit. Ita
Clemens XI. in summa temporum asperitate, vigili sumptu
cura, nunquam intermissis laboribus, quocunque solutus af-
fectu gessit, ut se eam publica tantum utilitatis causa suscep-
sisse luculentissime comprobaret. On the other Side was
 this last Inscription — *Clement XI. Pontiff. Max. Cle-*
mentia ipsa in Pontificio Throno visa, et confedisse, decora
ac verenda comitas imperare; sed quid severitate uteretur,
cui ad morum censuram innocentiamque revocandam sola sua
ipsius vita Exempla satis superque esse potuere? All these
 Inscriptions were compos'd by *M. Fontanini*.

Before we proceed any farther, we will here insert
 the following Account of the Conclave, and of the
 Manner of electing a Pope.

The Word *Pope* comes from the *Greek*, in which
 Tongue it signifies Father. It is a Name which was
 formerly given to all Bishops, as appears by the Works
 of the ancient Ecclesiastical Writers, and more parti-
 cularly by the Epistles of *St. Austin* and *St. Jerome*. But
 about the End of the eleventh Century, *Gregory VII.*
 in a Council held at *Rome*, order'd that the Name of
 Pope should particularly belong to the Bishop of *Rome*.
Maimbourg, in his *History of the Grand Schism of the*
13th Century, That for the first five Centuries, the People
 and Clergy together, and sometimes the Clergy alone,
 with Consent of the People, chose the Pope by Plu-
 rality of Voices, until after the Death of Pope *Simpli-*
cianus, in 483. *Odoacer*, King of the *Heruli* and *Italy*,
 made a Law, that none should be chosen without first
 acquainting the Prince whom they had a Mind to
 chuse. This Law was abolish'd about 20 Years after,
 in the 4th Concil of *Rome*, under Pope *Symmachus*, by
 the Consent of King *Theodorick*, in 502. But that
 Prince turning *Arian*, grew tyrannical in the latter End
 of his Reign, and seized the Privilege of making the
 Pope, and in Consequence of it plac'd *Felix IV.* in
 the Chair. The *Gothick* Princes follow'd his Exam-
 ple, only allowing the Clergy to chuse; but he was
 not to ascend the Chair till confirm'd by them. *Justi-*
nian, who overturn'd the Empire of the *Goths*, and
 also his Successors, retain'd the same Privilege, and re-
 manded Money of the Pope elect to confirm his ele-
 ction. But *Constantinus Pogonatus* freed them from this
 Imposition

Imposition in 681. Nevertheless the Emperors did still keep a Share in the Election; so that the Popes were not consecrated without their Consent, till the French Emperor *Louis le Debonnaire*, in 824; and his Successors *Lotharius I.* and *Louis II.* in 864, restor'd the Popes to their former Liberty. In the 11th Age, the Marquess of *Hetruria*, and the Count de *Tuscannella*, with the Grandees of *Rome*, chose and depos'd Popes as they pleas'd; as did the Emperor *Otho the Great*, and his Son and Grandson in that same Age. *S. Henry*, Duke of *Bavaria*, their Successor, restor'd the Popes to their Privileges again, in 1014, leaving the Election to the Clergy and People of *Rome*; but his Son and Grandson, *Henry III.* and *Henry IV.* re-assum'd the Power of choosing and deposing the Popes, which occasion'd Wars between them and the Emperors about the Investiture, the Emperor setting up Antipopes, which produc'd a Schism in the Church of *Rome*. But after the Time of *Innocent II.* and that the Controversy between *Peter de Leon*, call'd *Anaclete*, and *Victor IV.* was extinguish'd, the Cardinals and Principals of the Clergy of *Rome*, chose Pope *Celestine V.* by their own Authority, in 1293; and the rest of the Clergy having parted with their Pretensions, *Honorius III.* in 1216; or, according to others, *Gregory X.* in 1274, order'd that the Election should be made in the Conclave; since which Time the Cardinals have still kept Possession of that Privilege, and elected the Popes without any Opposition.

The Conclave is a Place where the Cardinals meet for the Election of a new Pope. The Assembly is also call'd by this Name, and it depends on the Members themselves to pitch upon a Place; for the Conclave has no determin'd one: Yet for some Time past, a large Gallery in the Palace of *St. Peter*, otherwise call'd the *Vatican*, has always been made Use of, as well on Account of the Spacioufness of the Place, as for other Conveniencies; so that the Cardinals never stand to deliberate now, but only for Form's Sake. There are prepar'd for them in this Gallery as many little Cells made of Deal Boards as there are Cardinals, with Lodges and Places for Servants, who shut themselves in to wait upon the Cardinals: These Servants are call'd Conclavists; and no Cardinal is allow'd above two or three at the most; and this only so in Case of Sicknes, or for some parti-

cular Privilege. This Employment is much desir'd, because, besides that the new chosen Pope always makes him a Present, they have the Pleasure of seeing all that passes; yet the Place is troublesome enough, because they must take in the Meat and Drink, must wait at Table, and be as closely confin'd as their Masters: The little Chambers or Cells have each a *Numero* or Number, and the Cardinals draw Lots for them; so that it happens very often, that Cardinals of different Factions are shut up near one another. These Cells are prepar'd during the nine Days of the Ceremony of the Pope's Funeral; all which Time any Body may go into the Conclave and see the Cells, which are hung on the Outside with green Serge or Camblet; only those that belong to the Favourites of the deceas'd Pope, are cover'd with deep Violet-colour'd Cloth, and over each Cell is hung the Cardinal's Arms that lives in it. From the Windows of the Gallery only the Cells receive all their Light. The Manner of the Election is thus: The next Day after the Pope's Burial, which is always the 9th Day after his Death, the Cardinals having heard the Mass, ~~when they~~ call, The Mass of the Holy Ghost, go in Procession two by two to their Cells in the Conclave. They are guarded by the Militia of Rome, who hinder all Intercourse from without; and the Diliges are also inspected by the Master of the Ceremonies, least any Letters should be conceal'd in the Meat. Of late it has obtain'd among them to premise certain Articles, which they think necessary for the better Government of the Church, and every one swears to observe them, if he should be chosen. The Election is made by Scrutiny, Access, or Adoration. The first is, when the Cardinal writes the Name of him whom he votes for, in a Scroll of Paper doubled down in five Folds; on the first whereof he writes, *Ego eligo in summum Pontificem, Reverendissimum Dominum meum Cardinalem*--- I chuse for Pope my most Reverend Lord, Cardinal [Conti] for Example.] But this is always written by one of his Servants, that the Cardinal may not be discover'd by his Hand. On this Fold two others are doubled down, and seal'd with a private Seal: On the 4th the Cardinal writes his own Name, and covers it with the 5th Folding. Having thus prepar'd their Scrolls, they go into the Chapel at an appointed Hour, and seat themselves in Order on Benches, with their

Scrolls

Scrolls in their Hands. Then each Cardinal in his Turn goes up to the Altar, and after a short Prayer on his Knees, throws his Scroll into a Chalice that stands on a Table, on the Right of which is sitting the first Cardinal Bishop, and on the Left Side of it the first Cardinal Deacon. The Cardinals being return'd to their Places, the Cardinal Bishop turns out the Scrolls into a Plate which he holds in his Left Hand, and gives them one by one as they happen to come, to the Cardinal Deacon, who reads them with an audible Voice, while the Cardinals note down how many Voices every Person hath; and then the Master of the Ceremonies burns the Scrolls in a Pan of Coals; that it may not be known for whom any one gives his Voice: And if two Thirds of the Number present agree on the same Person, he is duly elected, and declared Pope. When the Choice is made by Access, the Cardinals rise from their Places, and going towards him whom they would have elected, each says, *Ego accedo ad Reverendissimum Dominum* — And the Election by Adoration is much in the same Manner: only the Cardinal approaches him whom he would have chosen with a profound Reverence; but both the one and the other must be confirm'd by the Scrutiny. There was another Way of chusing, by Compromise, when the Differences rose so high, that they could not be adjusted in the Conclave, they refer'd the Choice to three, or five, giving them Leave to elect any, whom all, or the Majority, should chuse, provided it were determin'd within the Time that a Candle lighted by common Consent should last. There is also a fifth Way of Election, call'd by, Inspiration, which is thus: The first Cardinal rises up in the Chapel, and after an Exhortation to chuse a capable Person, names such a one; to which, if two Thirds agree, he is reckon'd legally chosen. When by any of these Methods one of the Cardinals is elected Pope, the Master of the Ceremony comes to his Cell, to acquaint him with the News of his Promotion; whereupon he is conducted to the Chapel, and clad in the Pontifical Habit; then receives the Adoration, that is, the Respects paid by the Cardinals to the new Pope, by kissing his Feet, Hands, and Mouth: After which, all the Doors, and Gates of the Conclave are thrown open, and the Pope, shewing himself to the People, gives them his Blessing, the first Cardinal Deacon proclaim-

ing to them with a loud Voice in these Words, *Anuncio vobis gaudium magnum, Papam habemus, Reverendissimus Dominus Cardinalis* ——— *electus est in summum Pontificem, Et elegit sibi nomen* ———. I announce to you Tidings of great Joy; we have a Pope: The most Reverend Lord Cardinal ——— is elected chief Pontiff, and has chosen to himself the Name of ———. This being done, the new Pope descends into St. Peter's Church, (the Cardinals two by two going before him) and coming to the high Altar of the holy Apostles, he takes off his Mitre, kneels, and prays a while, to return Thanks to God for his Elevation to the Papacy; and then seating himself by the Altar, the Cardinals come a second Time to the Adoration; after which he is conducted to his Apartment. Some Days after this is perform'd the Ceremony of his Coronation, before the Door of St. Peter's Church, where is erected a Throne, upon which the new Pope ascends, has his Mitre taken off, and a Crown put on his Head, in the Presence of all the People. Afterwards is the Cavalcade from St. Peter's Church to St. John de Lateran, ~~1~~ ~~at which~~ all the Ambassadors, Princes, and great Men assist, mounted on Horseback, and richly habited. Next, before the Pope, go the two Cardinals, Dean and Sub-Dean of the sacred College, in their red Caps, and the other Cardinals come after, two and two, followed by the Patriarchs, Archbishops, Bishops, and Prothonotaries. When the Pope is come to St. John de Lateran, the Archbishop of that Church presents him with two Keys, one of Gold, the other of Silver; then all the Canons of that Cathedral paying their Obedience, and kissing his Feet, he gives the general Benediction.

After this Account of the Ceremonies concerning the Election of the Pope, it will not be amiss to insert the following List of the present Cardinals.

A List of the Cardinals who compose the Sacred College.

Created in	Names	Natives
1695	Tanara	Promoted by Innocent XII. Of Bologna, Dean, and chief of the Bishops.

Clement

Created in	Names	Natives
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Promoted by *Clement X.*

1672	<i>Urkni-Gravina</i> ———	A <i>Neapolitan</i> , Sub-Dean and Bishop.
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1675	<i>Marescotti</i> ———	A <i>Roman</i> , chief of the Order of Priests.
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Innocent XI.

1681	<i>Pamphilio</i> ———	A <i>Roman</i> , chief of the Order of Deacons.
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Alexander VIII.

1689	<i>Ottoboni</i> ———	A <i>Venetian</i> , Deacon.
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1690	<i>Del Giudice</i> ———	A <i>Neapolitan</i> , Bishop.
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	<i>Imperiale</i> ———	A <i>Genoeze</i> , Deacon.
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	<i>Barberini</i> ———	A <i>Roman</i> , Priest.
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	<i>Altieri</i> ———	A <i>Roman</i> , Deacon.
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Innocent XII.

1695	<i>Buoncompagno</i> ———	Of <i>Bologna</i> , Priest.
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	<i>Sacripante</i> ———	Of <i>Narni</i> , in the Ecclesiastical Territories, Priest.
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1697	<i>Cornaro</i> ———	A <i>Venetian</i> , Priest.
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	<i>Pualucci</i> ———	Of <i>Forli</i> , in the Ecclesiastical Territories, Bishop.
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1700	<i>De Noailles</i> ———	A <i>Frenchman</i> , Priest.
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Clement XI.

1703	<i>Pignatelli</i> ———	A <i>Neapolitan</i> , Bishop.
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1706	<i>Corfini</i> ———	A <i>Florentine</i> , Priest.
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	<i>Fleschi</i> ———	A <i>Genoeze</i> , Priest.
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	<i>Acquaviva</i> ———	A <i>Neapolitan</i> , Priest.
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	<i>Ruffo</i> ———	A <i>Neapolitan</i> , Priest.
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	<i>Spada</i> ———	Of <i>Lucca</i> , Priest.
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	<i>Gualtieri</i> ———	Of <i>Orvieto</i> , in the Ecclesiastical Territories, Priest.
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	<i>De Saxe-Zeitz</i> ———	A <i>German</i> , Priest.
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	<i>Paracciani</i> ———	A <i>Roman</i> , Priest.
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	<i>Fabroni</i> ———	Of <i>Pistoia</i> in <i>Tuscany</i> , Priest.
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	<i>Colonne</i> ———	A <i>Roman</i> , Deacon.
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	<i>Pauli</i> ———	A <i>Venetian</i> , Priest.
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	<i>Vallemani</i> ———	Of <i>Fabriano</i> , in the Ecclesiastical Territories, Priest.
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1707	<i>Conti</i> ———	A <i>Roman</i> , Priest.
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1709	<i>Gozzadini</i> ———	Of <i>Bologna</i> , Priest.
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1711	<i>Albani</i> ———	Of <i>Pesaro</i> , in the Ecclesiastical Territories, Deacon.
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1712	<i>Davia</i> ———	Of <i>Bologna</i> , Priest.
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1712 *Cusani*

Created
in

Names

Natives

Promoted by Clement XI.

- 1712 Cusani ——— Of Milan, Priest.
 Piazza ——— Of Torli, in the Ecclesiastical Territories.
 Londodari ——— Of Sienna, Priest.
 De Rohan Soubize — A Frenchman, Priest.
 Dachuna ——— A Portuguese, Deacon.
 Schrotembach ——— A German, Priest.
 Tolomei ——— Of Pistoia, Priest.
 Pie de la Mirandola — Of Milan, Priest.
 De Buffi ——— Of Viterba, in the Ecclesiastical Territories, Priest.
 Corradini ——— Of Sezza, in the Ecclesiastical Territories, Priest.
 Orighi ——— A Roman, Deacon.
 De Polignac ——— A Frenchman, Deacon.
 1713 Erba Odescalchi ——— Of Milan, Priest.
 1715 De Schomborn ——— A German, Deacon.
 ——— Of Pesaro, in the Ecclesiastical Territories, Deacon.
 Innico Caraccioli — A Neapolitan, Priest.
 Scotti ——— Of Milan, Priest.
 1715 Marini ——— A Genoese, Deacon.
 Thiard de Biffi ——— A Frenchman, Priest.
 Nicolas Caraccioli — A Neapolitan, Priest.
 Pafrizili ——— Of Sienna, Priest.
 Nicolas Spinola ——— A Genoese, Priest.
 1717 Borromeo ——— Of Milan, Priest.
 Czaki ——— A Hungarian, Priest.
 Alberoni ——— Of Placentia, Deacon.
 1719 De Gefures ——— A Frenchman, Priest.
 De Mailli ——— A Frenchman, Priest.
 George Spinola ——— A Genoese, Priest.
 Bentivoglio ——— Of Ferrara, Priest.
 Dalsace ——— Of Flanders, Priest.
 Beluga ——— A Spaniard, Priest.
 De Pereira ——— A Portuguese, Priest.
 D'Alban ——— A German, Priest.
 Salerno ——— A Neapolitan, Priest.
 1720 Barbarigo ——— A Venetian, Priest.
 De Borgia ——— A Spaniard, Priest.
 Cienfuegos ——— A Spaniard, Priest.

It was Matter of Surprize at *Rome*, that in the very first Congregation of Cardinals held after the Pope's Death, and before they enter'd upon any other Business, they order'd, that a safe Conduct should be sent to Cardinal *Alberoni*, together with an Invitation to him, in the Name of the whole Sacred College, to come to the Conclave; but this Surprize was much abated, when it was known, that the late Pope, as he was lying *in articulo mortis*, being ask'd, whether he thought it proper, that that Cardinal should be admitted in a future Conclave, (a Process being actually form'd against him in the holy Office) answer'd in the Affirmative; and upon this it was that Cardinal *Albani* grounded his Proposal of it to the Congregation.

Besides the Particulars inserted in the Letter aforesaid, we think it necessary to insert the following Account, which contains several Passages which deserve to be preserv'd in this Collection.

WHEN the Pope found he was going out of the World, he sent for the Pretender, who being come, he told the Cardinals then in his Bedchamber, that he wanted to speak with him in private; but one of them representing, that it would redound most to his Holiness's Honour to deliver his last Thoughts to him in their Presence, the Pope comply'd, and recommended to them the three following Points.

1st, To let the Pretender reside constantly in the Palace which he had assign'd him.

2^{dly}, To continue the Pension granted to him, that he may be always enabled to support the Royal Dignity, till he recover his Kingdoms.

3. To oblige the Successor in the holy See, to assist the Pretender in all Things against the Attempts of his Enemies.

The Cardinals assur'd the Pope they would take Care to perform the 1st and 3^d Articles; but that as to the 2^d, they would be inexcusable, if they should continue to exhaust the Treasure of the Church, which was by no Means appropriated for the Preservation of one Prince alone, but for the Defence of the *Roman* Catholick Religion in general. To this the Pope answer'd, that his Successor might, with a very safe Conscience, draw out Sums from the Treasury for the Maintenance

Maintenance of the Pretender, because he had been depriv'd of his Dominions for the Sake of the Catholick Religion; moreover the Pretender himself made a very moving Speech against the Inhumanity of abandoning one that was so helpless: But the Cardinals reply'd, That they would consider of it, and give their Answer next Day. The Pope acquiescing therewith, desir'd the Cardinal *d'Alban* to engage the Emperor to espouse the Pretender's Interest, and not to forsake him in the present Juncture; but that Cardinal begg'd to be excus'd, and shew'd, that it was impossible to be done, not only on Account of solemn Treaty, but also by reason of the signal Services which *England* did to his Imperial Majesty, in the late War against the *Spaniards*.

In the first Congregation of Cardinals, held after the Pope's Death, *M. Riviera*, Secretary of the Sacred College, read the Bulls for electing a Pope, which the Cardinals took an Oath to observe. After this, they were present in the Chapel of the *Vatican*, at the Mass of *Requiem*, which was sung by the Cardinal *de Paolucci*, and then they met in the Vestry, (as they also did every Morning for nine Days together) and it was resolv'd, that the Conclave should be held in the *Vatican*. All the Officers of the Ecclesiastical State were confirm'd, and the Governor went to offer his Assistance and Service to the Sacred College, as did also the Conservators of the *Roman* People. There were found in the Possession of the deceas'd Pope, Bills for 200000 Crowns, which were carry'd to the Castle of *St. Angelo*, towards making up the 300000 Crowns, which had been drawn out of the Five Millions, for furnishing the Expences of the Armaments. In the next Assembly the Cardinals chose Signior *de Paolis* and *Nucarini*, Physicians to the Conclave, and Signior *Maffini* Surgeon, and two Cardinals were deputed to take Care of the Conclavists. The Cardinals, Ambassadors, Ministers, and Nobility, had their Palaces guarded by People in Arms, (and particularly the Prince *de Chigi*, Marshal of the Conclave) as is the constant Practice during the Vacancy of the holy See. Signior *Biasio Ferrari* with Consent of the Sacred College, took on him the Character of Cardinal *Alberoni's* Agent. Among other his Eminency's Commissions, there is one by which he desires a safe Conduct of the Sacred College,

for three Months, in Pursuance of the Pope's Bulls, which has been referr'd to the Congregation of the Cardinals, who are Chiefs of the three Orders.

In the Congregation which was holden on the 23^d, Cardinal *Olivieri* drew Lots for the Sixty eight Cells design'd for the Cardinals of the Conclave, of which those fallen to the Lot of the Cardinals of the late Pope's Creation, were hung with Tapestry of a Violet Colour, and the others with Green. The same Day the Cardinal *de Ruffi* arriv'd from his Bilhoprick of *Ancona*, and went to the Chapel, and others are expected every Hour, especially from the Ecclesiastical State. The Sacred College enjoyn'd the Tribunals to condemn no Body to Death or the Gallies, without their Consent, and to impose no Fines exceeding the sum of twenty Crowns. The Governor of *Rome*, who takes Cognizance of all civil and criminal Matters in the City, and stops the Proceedings of all other Courts in Case of Default, has prohibited all Manner of Libels and Satyrs, on Pain of Death or the Gallies. The Conservators or Guardians of the Liberties and Franchises of the *Roman* People, held a Congregation about the Pretension of some Ministers, who would not have the Patroll pass before their Palaces in the Night, but they resolv'd it should pass both Night and Day, and acquainted the Sacred College with the Resolution. All Matters that were laid before the Sacred College, were prepar'd beforehand in the Congregation which was held in Presence of the Cardinal-Dean, the Chamberlain, and the Heads of three Orders.

On the 24th, the Sacred College receiv'd the Complements usually paid them by the Ministers of Sovereign Princes. The Cardinal *d' Alban* spoke in the Name of the Emperor, the Bilhop of *Sisteron* for the most Christian King, Cardinal *Acquaviva* for his Catholick Majesty, Cardinal *Conti* for the King of Portugal, Cardinal *Albani* for the King of Poland, the *Venetian* Ambassador in the Name of that Republick, and the Ambassadors of *Bologna* and *Ferrara* offer'd their Obedience and Service in the Name of those two Towns. When Cardinal *Olivieri* drew the Lots for the Cells in the Conclave, they came out thus: 1. *Pignatelli*; 2. *Orsini*; 3. *Colonna*; 4. *Gazzadini*; 5. *Acquaviva*; 6. *Alban*; 7. *Da Cunha*; 8. *Davia*; 9. *Borgia*; 10. *Spinola*; 11. *Olivieri*; 12. *Serottembach*, Viceroy of *Naples*;

Naples; 13. Bissi; 14. Piazza; 15. Cinfuegos; 16. Gesvres; 17. Barbarigo; 18. Noailles; 19. Pamphili; 20. Belluga; 21. Vallemani; 22. Odescalchi; 23. Paracciani; 24. Scotti; 25. Mailly; 26. Conti; 27. Fieschi; 28. Imperiali; 29. Fabroni; 30. Salerno; 31. Patritii; 32. Corradini; 33. Boncompagni; 34. Sacripanti; 35. Borromei; 36. Alberoni; 37. Corsini; 38. Bentivoglio; 39. De Lacerda; 40. Gualtieri; 41. Schomborn; 42. Saxe-Zeitz; 43. Cornaro; 44. Priuli; 45. Marini; 46. Origo; 47. Tolomei; 48. Paulucci; 49. Barberini; 50. Czaki; 51. Polignac; 52. De Bouffu; 53. Giudice; 54. Spada; 55. Innico Caraccioli; 56. Zondadari; 57. Marefcoiti; 58. Nicolo Caraccioli; 59. De Rohan; 60. Ruffo; 61. Albani; 62. Buffy; 63. Tanara; 64. Altieri; 65. Ottoboni; 66. Cusani; 67. Pico; 68. Santa Agnese. Of these are Cardinal Bishops 6, Cardinal Priests 50, and Cardinal Deacons 12. In all 68: Four Caps being at present vacant.

The Italian Cardinals being much more numerous than those of other Nations, made a bold Push to elect a Pope in the first Scrutinies, and pitch'd upon *Cardinal Paulucci*, who was Secretary of State to the late Pontiff. They had so well manag'd this Affair, that in the three Scrutinies he was within two first Voices of being elected. The Cardinal *d'Alban* was so surpris'd at that Proceeding, that he protested in the Name of the Emperor against the Election of *Paulucci*, and gave him what they call the Exclusion, declaring in plain Terms, that the Emperor would never acknowledge him. This Step of the Cardinal *d'Alban* defeated the Designs of the Faction of *Paulucci*, and several Letters told us, That if Cardinal *Albani*, who was at the Head of that Party, would have waited but three or four Days, for the Arrival of some Cardinals who were upon the Road, and would have joyn'd them, they had certainly carry'd their Point, whereas Signior *Paulucci* was so distanced by this Precipitation, that he could never recover his Ground. As this Affair was concert'd before the Conclave was form'd, that Eminence went in with so much Confidence as not to have any Doubt about his Election, without minding the Disappointments of many before him in the like Case, which had given Birth to the Proverb, which says, *That he who enters in the Conclave as Pope, comes out of it as Cardinal.*

The Protestation of the Imperial Minister oblig'd the Cardinals to put off the Election 'till they had better concerted their Measures : They continued to balow for Form Sake, but 'twas observ'd they put only upon the Bills, *Pro Nemine*, for no body. The Cardinal *de Rohan* endeavour'd to pacify the *Austrian* Faction, but without any Effect, and the Cardinal *de Althan* told him, That he would not do any Thing therein 'till the Return of his Couriers from *Vienna*, and the Arrival of several Cardinals,

The following Letter from *Rome*, containing some other Remarkable Particulars, we shall insert it here.

Since the Emperor's Exclusion of Cardinal *Pruvenci*, the Sacred College move but slowly in the Election of a Pope, in Order to give more Time for other Cardinals to come hither. On the 6th Instant, the Cardinals *Gozzadini* and *Ruffo* arriv'd here, and were immediately visited by the *Venetian* Ambassador, with whom they had a long Conference : The next Day they went into the Conclave. The 7th, Cardinal *Alberoni* arriv'd here, and had a Conference with Cardinal *Albani* : The 8th, he enter'd the Conclave, as did also Cardinal *Piazza*. On the 9th, the *Venetian* Ambassador had an extraordinary Audience of the Cardinals, who are Chiefs of the Orders, in the Sacred College, and 'tis said, imported to them some Advices he had receiv'd about the great Armament of the *Turks*. The Cardinals *Orsini*, *Odescalchi*, *Carraccioli*, and *Cienfuegos* are arriv'd this Week ; the latter having the last Instructions of the Emperor relating to the Election. The *Austrian* Faction flatter themselves, that they will be so numerous as to carry the Election from whom they please ; but we hear on the other Hand, that Cardinal *Ottoboni* is labouring, with all imaginary Application and Dexterity, to unite the Factions of *Albani*, and that of the Zealots with the *French* Party, to counterballance the *Austrian* Faction. This Morning Cardinal *Cornaro* arriv'd here, being many several Miles out of Town by the *Venetian* Ambassador, and this Evening went into the Conclave. There was some Days ago a great Dispute between the Cardinals *Pamphilio* and *Albani* ; the former having taken the Liberty highly to reflect on the Memory of

the late Pope; saying, amongst other other Things, that he was wilful and obstinate, and did every Thing without the Advice of the Cardinals, whom he consulted only when he could not extricate himself of the Difficulties his Precipitation had engag'd him: Cardinal *Albani* could not bear that Language, and us'd *Pamphilio* in such a Manner, that a much greater Scandal would have ensu'd thereupon, if other Cardinals had not interpos'd.

Notwithstanding the Governor of *Rome* takes all imaginable Precautions for securing the publick Peace, our Advices from thence tell us, that the Licentiousness of the People is grown to that Excess, that there are frequent Murders committed, with an Manner of Violences and Outrages, which makes it very dangerous for Persons to be out of their Houses but in the Day-time. This is a Privilege the Mob claims during a Vacancy of the Holy See, for upon the Election of a new Pontiff, there is always an Act of Grace for what is past.

During this Vacancy, *Tasquin* and *Marferio* take also great Liberties, and the most secret Passages of the Life of the Cardinals are brought to Light, and strictly examin'd by these two rigid Censors. They have examin'd the several Qualifications of all the Cardinals who are in the Conclave, and seem so peevish, that if we take their Words, there is not one of them which deserves to be advanced to the Holy Chair.

The two following Letters contain a Relation of the Election and Coronation of the new Pope.

Rome, April 13.

THe Election of Cardinal *Conti* having been made on the 8th Instant in the Morning, 38 Days after the Cardinals enter'd into the Conclave, it was confirm'd by an unanimous Consent; and the Crowls of the Scrutiny being burnt according to Custom, the Cardinals *Tanara*, Dean and Chief of the Order of the Cardinal-Bishops, *Sacripante*, Chief of the Priests, *Pamphili*, Chief of the Deacons, and Cardinal *Albani*, Chamberlain of the Holy See, being conducted by the Master of the Ceremonies, went to the Cardinal elected: Cardinal *Tanara* spoke for them, and ask'd, If he accepted of the Choice that had been fairly made of

of his Person for Sovereign Pontiff? And when he had declar'd that he did accept of it; the Cardinals ask'd him what Name he would take? He answer'd, That he made Choice of that of *Innocent XIII.* in Memory of *Innocent III.* the most worthy of all the Popes that had been chosen from among the Cardinals of the several Branches of the House of *Conti*. The new Pope's Name is *Michael Angelo*: He was born the 15th of *May* 1665, Son of *Charles Conti*, Duke of *Poli*, by a Sister of the Duke of *Muti*. Pope *Alexander VIII.* made Choice of him in *April* 1690, to carry to the *Doge* of *Venice* the Cap and Sword which his Holiness had consecrated on the *Christmas-day* preceding: *Innocent XII.* made him Governor of *Viterbo* in *May* 1693, and appointed him his Nuncio to the Catholick Cantons of *Switzerland* in *May* 1695: In the Month of *June* that Year he was consecrated Archbishop, with the Title of *Tarsus*, by Cardinal *Marescotti*. In the Beginning of 1698, he went to *Lisbon*, the Pope having appointed him his Nuncio at the Court of *Portugal*; and during his Residence there, he refus'd the Bishoprick of *Ancona*, which his Holiness offer'd him: He was made a Cardinal on the 7th of *June* 1707. He continued in *Portugal* till *January* 1711, when he return'd to *Rome* with the Title of Vice-Protector of the Affairs of that Kingdom: In 1712, the late Pope made him Bishop of *Viterbo*, of which he took Possession, and voluntarily resign'd it in *March* 1719. He was appointed Prefect of the Congregation of the Confines in 1718, and eminently distinguish'd himself in the other Congregations, into which he was admitted by *Clement XI.* The Family of *Conti* is one of the four chief Families of *Rome*; and the three others, to every one of which that of *Conti* is ally'd, are those of *Colonna*, *Ursini* or *Orsini*, and *Savelli*; but this last is extinct: That of *Conti* has been divided into several Branches, of which there are now none remaining except that which is establish'd in this City, which has furnish'd several Cardinals and Generals of great Reputation: The new Pope has two Brothers and one Sister; the eldest Brother is *Joseph Conti*, who, in 1677, when he marry'd *Sucretia Colonna*, Aunt of the two present *Colonna's*, the Constable and the Cardinal, went by the Name of Duke of *Guadagnolo*, but at the Death of his Father took that of the Duke of *Poli*: He has three Sons, all of

of whom are old enough to enter into the Prelature, and great Offices. His second Brother is call'd *Bernard-Maria Conti*, who was a Benedictine of *Monte-Cassino*, but made Bishop of *Terracina* in 1710: His Sister is *Hyacintha Conti*, who marry'd *Joseph Caffi*, Duke of *Aqua-Sparta*, who has left by her several Children; among others, the present Duke of *Aqua-Sparta*, the Abbot his Brother, and the Princess *Ruspoli*, Dutches of *Gravina*: The Eldest of the Family of *Conti* is Hereditary Great Master of the Apostolick Palace, which entitles him to the Privilege of assisting in all Pontifical Chapels, where he performs the Function of Introducer of Foreign Princes, and of other Persons of that high Rank. The Arms of this Family are, Gules, an Eagle chequer'd Or and Sable, and the Crest is supported by a Sort of Trophy compos'd of two Pieces of Cannon firing from amongst 8 Colours and 6 Standards. When the Master of the Ceremonies had drawn up the new Pope's Act of Acceptation, the two chief Cardinal-Deacons led him before the Altar of the Chapel of *Sixtus*, where he said a short Prayer; after which he went into a private Room, where they took off his Habit of Cardinal, and put on him a white Cassock, a Rochet, a purple Camail, a red Cap, and Shoes embroider'd with a Cross of Gold: Being thus clad in the Episcopal Vestments, he was then placed before the Altar in the Papal Chair, where the Cardinals paid him their first Respects by kissing his Hand, the Pope, mean while, embracing them one by one; after which Cardinal *Albani*, as Chamberlain, put on his Finger the Ring of the Fatherman: This Ceremony ended, Cardinal *Pamphili*, as chief of the Cardinal-Deacons, accompany'd by the Master of the Ceremonies bearing the Cross, went about 11 in the Morning to the Balcony, call'd, *Of the Benediction*, which looks into the square of *St. Peter*, where, after having presented the Cross, he proclaim'd the Election of the new Pope as usual; which being already noised about in the City, the whole Square was crowded with an infinite Number of People, who receiv'd the News with loud repeated Acclamations of *Long live Pope Innocent the Thirteenth*. The Acclamations were follow'd by the Sound of Trumpets, Beat of Drums, several Salvo's of Fire-Arms of the Troops that were drawn up in the Square, by a general Discharge of the Artillery of the Castle *St. Angelo*, and by Ringing of all the

the Bells. After this Proclamation, the Pope was conducted by the assisting Cardinals into the Cell of Cardinal *Albani*, where he dined, and his Table was magnificently served. During this Dinner, Cardinal *de Rohan* gave a splendid Entertainment in Cardinal *de Noailles's* vacant Cell, to the Cardinals *Ottoboni*, *Gualtieri*, *de Guavina*, *de Bissy* and *d'Althan*, the Duke of *Poli* and the Bishop of *Terracina* the Pope's Brothers, his 3 Nephews, the Duke of *Tallard*, the Abbot *de Rohan*, the Bishop of *Sisleron*. Don *Charles* and Don *Alexander Albani*. About five in the Afternoon the Partitions of the Conclave were open'd, and the two chief Cardinal-Deacons, having taken off from the Pope the *Rochet*, *Camail* and *Red Cap* with which they had array'd him in the Morning, he was dress'd anew, in an *Amict*, an *Albe*, a *Stole*, a *Girdle*, and the *Pontifical Cope*, and having his *Mitre* on his Head, was seated on the Altar of the Confession of the Apostles, where, in Sight of a prodigious Concourse of People, the Cardinals kiss'd his Feet and Hand, after which he embrac'd them as in the former Ceremony; and this is what is commonly call'd *the Adoration*. This ended, he was conducted with the usual Ceremonies into his own Apartment, where the Officers of the Palace began to serve him. •*Sig. Fulconieri*, Governor of this City, came to the Feet of his Holiness, and deliver'd up to him the *Truncheon*, which is the Badge of his Authority: The Pope took it in his Hand, and made a long and prudent Discourse on the Duties incumbent on that Office; then gave it again to that Prelate, exhorting him to continue to render Justice, and to execute the Civil Power with the same Exactitude he had hitherto observ'd. About 11 in the Night the Pope was waked out of his Sleep to desire his Blessing in *Articulo Mortis* (at the Point of Death) for Cardinal *Paracciani*, who dy'd about One in the Morning on the 9th Instant: His Name was *John Dominico*; he was born in this City on the 6th of *August*, 1646: The 17th of *May* 1706, he was made Cardinal Priest with the Title of *St. Anastasius*: He was Prefect of the Congregation of the Bishops and Regulars, and Vicar of the Pope in the Diocese of *Rome*: By his Death there is a fourth Vacancy in the Sacred College. The same Day (the 9th) the Pope sent to offer the Dignity of *Vicar* to Cardinal *Paulucci*, who accepted not of it till

till next Morning. The Sacred College having carefully avoided to infringe the Bull of *Innocent XII.* against Nepotism, in Favour of *Don Carlo Albani*, Nephew of the late Pope, his present Holiness, who lays hold of all Opportunities that are practicable, not to deprive that Family of the Prerogatives that are usually annex'd to the Quality of Nephew, order'd *Don Carlo* to be present at the Throne (*al Soglio*) on Sunday the 18th Instant, which is the Day appointed for the Ceremony of his Coronation.

Rome, May 20.

SUNDAY the 18th being the Day appointed for the Pope's Coronation, that Ceremony was perform'd in the following Manner. A Place was inclos'd in the *Portico* of *S. Peter's Church* before the holy Gate, where a Throne was erected, under a Canopy, with Seats on each Side for the Cardinals: In the Chapel of the holy Sacrament was an Oratory, cover'd with red Velvet, and Cushions of the same, for his Holiness: The *Clementine Chapel*, where stands the Altar of *S. Gregory the Great*, was got ready in like Manner, and all the Ornaments for the Pontifical Celebration of Mass were plac'd upon that Altar; those of the Cardinal-Deacon of the Gospel, and of the Apostolical Sub-Deacon, who was to chant the Epistle, were provided upon a separate Table: The Seats for the Patriarchs, Archbishops, and Bishops, were plac'd behind those of the Cardinal-Deacons: The great Throne was rais'd under a magnificent Canopy before the High Altar, upon which stood only one Cross, and seven Candlesticks of Silver gilt behind it, with the Images of the Apostles in Silver; and about the Confession, or Tomb of *S. Peter*, were eight large Silver Candlesticks with gilt Flambeaux: *S. Peter's Church* was magnificently adorn'd by Order of Cardinal *Albani*, Chamberlain of the holy See, who is Arch-Priest of it: The Choir for the Chapel-Musick was on the Side of the Gospel; and Scaffolds were erected on both Sides for the Princesses and Ladies. About half an Hour after Nine, the Pope having heard a low Mass celebrated by one of his Chaplains in the little Chapel of the Palace, came from thence, dress'd in white Cassock, and a Camail of red Sattin, to *Sixtus's Chapel*, which was made Use of that Day as a Dressing-

sing-Room: He was supported by Signior *Doria*, first Gentleman of his Bedchamber, and by Signior *Mincioni*, his Cup bearer; and was preceded by the Conservators of the People of *Rome* in their red Cloaths, with Gowns of Tissue of Gold; by the *Roman* Princes, Dukes, and Gentlemen; the Abbot *Ruspoli*, Secretary of the Memorials, and the Abbot *Ferrante*, his Almoner: The two Senior Cardinal-Deacons receiv'd him at the Gate of the Chapel, and in Presence of the other Cardinals, who had repair'd thither, excepting the Cardinals *Marescott*, *Schomborn*, *Salerno*, *Paolucci*, and *Pignatelli*, who were indispos'd: Here they put him on an Amict, an Alb, Girdle, Stole, white Cope, and Miter. Then one of the Apostolical Sub-Deacons, Auditor of the *Rota*, in his Cope, took the Cross in his Hands which the Pope saluted; and the Procession began toward the Church of *S. Peter*, in the following Manner: His Holiness's Grooms of the Chamber, dress'd in red; the Fiscal of *Rome*, the Consistorial Advocates in Purple edg'd with Ermin; the private Chaplains, Chamberlains of Honour, and private Chamberlains dress'd in red; the Acolytes, Auditors of *Rota*, and Sub-Deacons, in Rochets and Copes, six Chaplains with Miters in their Hands; Signior *Falconieri*, Governor of *Rome*; the Princes of the Throne, and all the Officers of the Pope's Household: After the Cross went the Cardinals two and two, in red Copes; the Deacons first, then the Priests, and lastly the Bishops, all attended by their Gentlemen, Train-bearers, and principal Domesticks: They were follow'd by the Conservators of the People of *Rome*: Then came the Pope, carry'd in his Pontifical Chair, between the two Cardinal-Deacons who held the Borders of his Cope, and surrounded by his Mace-bearers, and Swiss Guards, headed by their Officers: Being come to the Portico of *S. Peter*, he plac'd himself upon the Throne between the two Cardinal-Deacons in waiting; Cardinal *Albani*, Arch-Priest of the Church, complemented him, and presented to him the Chapter and Clergy, who kiss'd his Feet. This done, the Pope got into his Chair again; and entering the Church thro' the great Gate, he advanc'd to the Altar of the holy Sacrament, where he took off his Miter, and continu'd some Time upon his Knees praying; after which, he was carry'd to the *Clementine* Chapel, where being seated on the Throne, the Cardinals

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were

were admitted to kiss his Right Hand, and the Patriarchs, Archbishops, and Bishops to kiss his Knee. This Ceremony being pass'd, an Apostolical Sub-Deacon came up to the Pope with the Cross, who rising up and taking off his Miter, gave the Benediction; the Cardinals, Archbishops, and Bishops standing, and the rest of the Spectators kneeling. The Pope taking the Miter off again, began the Office of Tierce, after which he said the Prayer; and then having wash'd his Hands, he was undress'd by the Deacon of the Gospel, to be cloath'd with the Pectoral Cross, Maniple, Stole, Tunick, Dalmatick, Chasuble, Gloves, and Miter: The Cardinals presented to him the chief Ornaments of the three Orders: While the other Cardinals were making their Procession round the Choir, the first Master of the Ceremonies, with a lighted Taper in one Hand, and a Bason of Tow in the other, set Fire to it thrice, saying as often, *Pater sancte, sic transis gloria mundi. Holy Father, thus passeth away the Glory of this World.* The Procession being finish'd, and the Pope return'd to his Chair, the Cardinals were admitted to kiss his Cheek and Breast; and then he began the *Introito* of the Mass. After the *Confiteor*, the Pope went and plac'd himself upon his Throne, before which the three Senior Cardinal-Priests said each a Prayer for his Coronation; then the Pope coming down, and taking off his Miter, Cardinal Pamphilio, Senior Deacon, put on him the *Pallium* or Pall, saying, *Accipe Pallium, scilicet plenitudinem Pontificalis Officii, ad Honorem Omnipotentis Dei, &c. Take the Pall, which is the Fullness of the Pontifical Office, to the Honour of Almighty God, &c.* After this, the Cardinal-Deacon of the Gospel put three large Diamond Clasps upon the three Crosses of the Pall, with which the Pope went unmiter'd to the Altar, to receive the ordinary Incense, and to finish the Mass with its different Ceremonies. This done, the Pope pull'd off his Gloves and Ring, and Cardinal Albani, as Arch Priest, attended by the Canons of *S. Peter*, presented to him, in the Name of the Chapter, a Purse full of an ient Coin, which his Holiness deliver'd to the Cardinal-Deacon of the Gospel to be distributed as usual. Then he was conducted to the Chapel of the holy Sacrament, where he spent some Time in Prayer, and was afterward carry'd to the Balcony of Blessing, where, in Sight of all the People in *S. Peter's Square*, the Anthem

them for the Occasion being first sung, the Cardinal-Deacon upon his Holiness's Left Hand took the Miter from his Head, and Cardinal Pamfilio, who was on his Right, put on the Triple Crown, saying in *Latin*, *Receive, the Diadem, adorn'd with three Crowns; and know, that you are the Father of Princes, the Spiritual Governor of the World, and the Vicar of Jesus Christ our Saviour, to whom be Honour and Glory World without End.* Then the Pope gave his Blessing to the People, who answer'd with repeated Acclamations of long live *Innocent XIII.* During this Ceremony, the Artillery of *Castle S. Angelo* was several times discharg'd, and all the Bells rang. Afterward the two Cardinal-Deacons publish'd the Plenary Indulgence in *Latin* and *French*; and then the Pope gave his Blessing a second Time, and so return'd with his Train to *Sixtus's Chapel*, where he quitted his Pontifical Vestments, and retir'd to his Apartment in the *Vatican*.



NEW ENGLAND.

THE great and general Court or Assembly of his Majesty's Province of the *Massachusetts Bay* having met at *Boston* on the 5th of *March*, the Governor, *Samuel Shute*, Esq; made the following Speech upon that Occasion.

Gentlemen,

I Take this Opportunity to assure you, as I have often done before, that I have nothing more at Heart than to see this Province flourish, and to make it easy, as well as happy under my Administration.

It is with this View that I have lately assembled some of the principal Gentlemen and Merchants of *Boston*, in order to propose or to receive any Scheme that might accommodate the People committed to my Care, in the Grievances they complain of, for want of a good Medium of Trade. The Redress seems to be very much within the Compass of every Man's Capacity; I mean to be frugal and industrious, without which the Mines of *Peru* and *Mexico* would not make you a prosperous and happy Community. For my own Part, if any Proposals come before the general Assembly at this Session, that do not tend to

depreciate the Province Bills, and by that means rob the thrifty and diligent, or break into our publick Credit, (which will reduce any Country to a State of Bankruptcy) my Concurrence shall not be wanting.

At the last Sessions there was a Bill drawn, to prevent any trading with the *French* at *Cape-Breton*, conformable to the Treaty of Neutrality stipulated between the two Crowns of *England* and *France*; but since it had not then the Assent of the whole general Assembly, I must again recommend it, hoping it will have a better Fate this Sessions, least otherwise it should be thought by the Government at Home, that we have more Regard to some private Persons Interest, than to his Majesty's Treaties, or the publick Good.

I must observe to you, that we have been so unhappy of late, as to have many factious and scandalous Papers printed and publickly sold at *Boston*, highly reflecting upon the Government, and tending to disquiet the Minds of his Majesty's good Subjects: I therefore make no Doubt; that whosoever is a Lover of the Privileges, Peace, and good Order of this Province, will be very desirous to have a Law made, to prevent this pernicious and dangerous Practice for the Time to come, and more especially, since it is the King my Master's positive Commands, that no Book or Paper shall be printed without my Licence first obtain'd, which you have been lately acquainted with.

I would also recommend to your Consideration, the sending a Present to the five *Indian* Nations, in Conjunction with some of our Neighbours, who, I am inform'd, are by that Means endeavouring to cultivate a Friendship and strong Alliance with them, least, since we were used to do it, and should now neglect it, they should hereafter refuse us their Assistance, when it may prove very advantageous to obtain it.

Gentlemen of the House of Representatives,

I receiv'd a Message from your House the last Sessions relating to my Support, wherein you acquaint'd me, you thought 1000*l.* a Year in Province Bills was a sufficient Allowance. I must take the Liberty to say, that it cannot be the King my Master's Sentiments, since, if you'll make Enquiry, you will find there

there is no Governor appointed by his Majesty in the *British Colonies in America*, that is so poorly supported as myself, though most of them are less in Extent, not so long settled, and less capable of defraying the Expence. I likewise sent down to you his Majesty's Instruction, with respect to a settled Salary; you excus'd yourselves from debating upon it at that Time, because the Sessions had been long, and many Members gone Home, but you have now another Opportunity.

I hope you will come to as speedy a Resolution as possible, in the Affairs that I have recommended to you, that so you may not be too long detain'd from your own private Affairs at this Season of the Year.

The Answer of the House of Representatives met at *Boston* in *New-England* on the 15th of *March*, to the Speech of his Excellency *Samuel Shute*, Esq; Captain-General and Governor in Chief of the *Massachusetts Bay*, &c.

May it please your Excellency,

I must needs be a great Pleasure and Satisfaction to every one that is a true Lover of his Country's Prosperity, to see those in the highest Seat of Government, not only to think of, but strenuously lay out themselves for the Good of those under their Administration. Your Excellency was pleas'd to acquaint us, that you lately assembled some of the principal Gentlemen and Merchants in *Boston*, with a View to the publick Good, that they might propose or receive Schemes for the Relief of this People under their Grievances, for want of a good Medium of Trade. If those Gentlemen, when assembled, did agree upon any Method, and had laid the same before this House, it had been very readily receiv'd, and due Consideration had thereon: But none such as yet hath been shewn forth.

At the last Sessions of this Court, a Bill was prepar'd for emitting 100,000*l.* in publick Bills of Credit for a farther Medium of Trade, and the better enabling the Inhabitants of this Province to pay their publick Dues; which Bill, after three several Readings, and Debates had thereon, pass'd the House of the Representatives, but had a different Turn at the honourable Board. And since our coming together at this

this Session, being truly sensible of the Insufficiency of the publick Bills of Credit, without a larger Supply to carry on the necessary Affairs and Trade of this Province, we are therefore of Opinion, that it is the incumbent Duty of the Representatives to accomplish that Matter, as far as in them lies, in ~~the~~ best and safest Way that can be thought on.

We agree with your Excellency, that should a farther Emission of publick Bills of Credit depreciate those already outstanding, it would be of pernicious Consequence to the Province :

And therefore for preventing the same, did, at the last Sessions, and have again at this, pass'd a Bill to prevent the buying, selling, bartering, or exchanging Silver Money or Bullion at higher Rates and Prices than heretofore stated by Act of Parliament : Which, in our humble Opinion, had such an Act been made by this Government at the first issuing out of Paper Bills, they had to this Day been in equal Value and Credit with Silver Money. And we farther conceive, the passing it now, would not only prevent the Bills being farther depreciated, or undervalu'd, but have a natural Tendency to bring them up to the Value and Esteem they once had. But if any other or better Way may be projected, more conducing to effect so great and publick a Good, it will be readily voted and accepted of by this House.

The Reason why the Bill to prevent any trading with the *French* at *Cape-Breton*, did not pass the House the last Sessions, was not out of Regard to any private Person's Interest ; for as we then did not, neither do we now know, or are inform'd of any within this Government that do trade there ; and we humbly presume, should an Act be now made for that Purpose, it could add no Strength or Power to the Treaty of Neutrality mention'd by your Excellency, to which we would ever have a due Deference : And if any do trade there, and its contrary to any Act of Parliament, those Gentlemen commission'd from Home to inspect those Matters, doubtless have, and will discharge their Duty in that Affair.

It is an unhappy Circumstance attending a well regulated Government, when they have seditious and scandalous Papers printed, and publickly sold or dispers'd. And the most ready and effective Way to prevent and hinder all such, is for the executive Part of Government,

Government, at the first putting forth any such factious Papers, strictly to endeavour the finding the Authors thereof; that, upon Conviction, they might be brought to condign Punishment, that so others might hear, and fear, and do no more so wickedly: And questionless, when a certain Priest, call'd, *News from Robinson Crusoe's Island*, was so publickly dispers'd, and given to many Members of this House at the Opening the Session in *July* last, wherein the Contriver of that Piece, not being content to compare the Representatives at their last *May* Sessions, to a Parcel of Men, who, in an angry Humour, did Things on Purpose to shew their Spite to your Excellency, and put a publick Affront upon you; but goes on, and to compleat his Wickedness, gives the Lie to a Report of a Committee of both Houses, and a resolve of this House sent to Mr. Agent *Dummer* of the 24th of *June*, 1719, And these palpable Untruths he raises on the Transactions of that late Assembly, to induce the World to believe they had done Things *Ex Parte* with a Witness. Had proper Methods been then taken, to discover and punish the Inventor or Publisher of that Libel, few or none afterward would have dar'd to publish any others of that Nature and Tendency. Should an Act be made to prevent the printing any Book or Paper, without Licence first obtain'd from the Governor for the Time being, no one can foresee the innumerable Inconveniencies, and dangerous Circumstances this People might labour under in a little Time.

For this Court to send a Present to the five *Indian* Nations, in Conjunction with some of our Neighbours, we cannot think adviseable at this Time; for as we know not what Number of Families those Nations consist of, neither are we appriz'd of what our Neighbours intend to send them: And for want of being let into the Knowledge of those Things, our good Intentions might prove very disadvantageous to the People of this Province in particular; and therefore, before this Government engages in that Affair, we conclude it necessary, that they be fully inform'd of the Resolutions of the other Governments on this Head.

May it please your Excellency,

The Vote of this House at their last Sessions touching your Support, wherein they declar'd, that what had been granted your Excellency for this present Year was

was an honourable Allowance, was resolv'd, after a free and full Debate, and carry'd by a very great Majority of the Members of the House, and we were in hopes would have been to your Excellency's Satisfaction and Content, especially considering it was determin'd after the House was sent for to the Council Chamber, and your Excellency had so plainly let them know your Mind on that Score: And we must beg Leave to acquaint your Excellency, that we account it an Honour and Duty for those that are govern'd, cheerfully to afford their Governors a Sufficiency, honourably to Support the Dignity and Station they stand in. And under these Views, as we then did, so we still apprehend the Allowance of this Year to your Excellency, is as much as the Honour and Service of this Government call for. And we take Leave farther to add, that we firmly believe, that this is not only the Opinion of the Representatives now assembled, but the Minds of the Inhabitants of the several Towns we now represent, and therefore ought to be of Direction to us in this Affair.

Altho' this Government have not appointed settled Salaries for the Governor, Lieutenant-Governor, or Commander in Chief for the Time being; yet in as much as they have always made Provision suitable to the Dignity of those respective Offices, and what has been so taken and accepted heretofore by the several Governors, or Commanders in Chief, ever since our present Constitution, we would therefore in all humble wise suppose, that as long as we continue so doing, his most gracious Majesty will receive us into the Number of his most loyal and dutiful Subjects.

March 20, 1720.

Timothy Lindall, Speaker.

Boston in New England, March 27.

By his Excellency Samuel Shute, Esq; Captain-General, and Governor in Chief in and over his Majesty's Province of the Massachusetts Bay in New England, &c. A Proclamation for a General Fast.

IT having been the commendable Practice of his Majesty's Government, and People of this Province, to begin the Year with a Day of solemn Fasting and Prayer, humbly and seriously to acknowledge our

our manifold Sins and Unworthiness, and most fervently to seek the Favour and Blessing of God, as well for ourselves and our Nation, as the Church and People of God throughout the whole World.

I have therefore thought fit, by and with the Advice of His Majesty's Council, and at the Motion of the Representatives in their present Session, to appoint a general Fast to be observ'd throughout this Province, upon Thursday the 20th of April next, hereby strictly forbidding all servile Labour on the said Day, and exhorting both Ministers and People, in their publick Assemblies, and private Devotions, religiously to observe the same, by offering up sincere and fervent Prayers for the Pardon of all our Sins, the turning away his Anger, and obtaining his Favour and Blessing both spiritual and temporal; in special, that the Life of our Sovereign Lord the King may be long and graciously continu'd; his sacred Person, and their Highnesses the Prince and Princess of Wales, and all the Royal Family, with the Kingdoms and Dominions under his Majesty's most happy Government, preserv'd and blessed; his Councils and Administrations directed and prosper'd; that his Majesty's Government within this Province may be under the divine Conduct in all their publick Affairs; that God would graciously remember us as to the ensuing Year, in giving us a suitable Seed-time, and plentiful Harvest, and seasonable Weather; that he would command his Blessings on our Husbandry, Merchandize, and Fishery, and all the Works of our Hands; that he would graciously continue Peace in our Borders, and Health in our Dwellings; but above all, that he would pour out his Spirit from on high upon this whole People, and make us a Mountain of Holiness, and an Habitation of Righteousness, and reform every Thing that is amiss in the midst of us; that we may find Grace in his Sight, and be prepar'd for a thankful Reception of these so desirable Favours; that the Kingdom of our Lord Jesus Christ may be greatly enlarg'd, and establish'd throughout the whole World.

Given at the Council Chamber in Boston, the 20th Day of March, in the Seventh Year of the Reign of our Sovereign Lord George, by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, &c. 1720.

*S. Shute.
Boston,*

Boston in New-England, March 27.

*The Speech of his Excellency William Burnet, Esq.,
Captain-General and Governor in Chief of the Province
of New Jersey and New York, and Territories depend-
ing thereon in America, and Vice-Admiral of the same,
to the Assembly of the Province of New-Jersey.*

Gentlemen,

THIS is a Meeting I have wish'd for with Impatience, though my Affairs oblig'd me to delay it till now. I could not have a better Foundation for thinking well of this Assembly, than the Character my Predecessor gave me of you, and I depend on the like hearty Inclinations on your Part when you reflect on his Merit and Affection to you, and that he would not have made the Way so easy for a Person wholly unworthy to come among you. We are both happy in a large Share of his Friendship, and as we really have but one common Interest, he will find it no difficult Matter to act upon his Resolutions of serving us both at once, to as great Advantage as his Capacity and great Credit at Home will enable him.

I am the more encourag'd in my Expectations from you, by the Loyalty to his Majesty, and Confidence in my Conduct, which the neighbouring Colony has shown in the Manner of granting a Revenue. I have no Question of finding the same Dispositions in you; and you need not doubt of my dividing my Time and Affections proportionable between the two Provinces.

As this Colony is daily increasing in People, and the Land in Value, the Support of Government must of Course be easier to raise than formerly, and the Necessity of Officers to serve in publick Stations, for the same Reasons grows daily greater: But I find that unhappily the Salaries of the Officers have been diminish'd, when they ought to have been encreas'd; their Encouragement has been less and less, when their Trust and Duty has been growing greater and greater. I hope you will find an effectual Remedy for this publick Grievance; for in a free Country it is the People that suffer, when there are not Hands enough, or those Hands not sufficiently strengthened, on whom the Burden of the Government lies, and who are to answer for the Peace and Order of a Country.

While

While I am observing to you your own flourishing Condition, I cannot without some Concern take Notice to you, that the Credit of so fine a Colony does suffer by so small a Sum of Bills as I hear are yet unprovided; for I can attribute this to nothing but the long Interval since your last Meeting, and I doubt not but you will take immediate Care to restore your Credit now that you have an Opportunity.

If you can think of making any Laws that will be for the Benefit of the Country, I shall very readily give you all the Assistance therein, that my Powers will allow: And as a Proof, that I think your Interest in all Respects the same with my own, I can assure you, that I never intend to leave this Country by my own Choice; and that what I do in a publick Post, I still consider myself as one that will have a considerable Stake among you as a private Man, when I shall be thought unfit to govern you any longer.

That which ought to have the greatest Weight with you, when you enter upon those Matters of a publick Nature which I have recommended to you, is, That I do not speak of myself, but according to the Powers and Instructions I have receiv'd from my Royal Master, whose bright and amiable Character endears him to all Mankind, and whose steady and resolute Conduct has broke all the Measures of the Enemies of his Government; so that he now enjoys a peaceable Crown at Home, and holds the Ballance of Power Abroad.

Happy are the People that have such a King, and such a glorious Prospect of a Protestant Succession, which may secure to Posterity the Enjoyment of Liberty and Property, and entire Freedom in the Exercise of Religion. I hope you have a just Sense of your Share in these Blessings, and that it will work all that Duty and Gratitude, which may be expected from good Subjects to such a Prince, and will be best expressed by a dutiful Behaviour to those whom he has put in Authority over you.

W. Burnett.

To his Excellency William Burnett, Esq; Captain-General and Governor in Chief of the Provinces of New Jersey and New York, and Territories depending thereon in America, and Vice-Admiral of the same, &c.

The humble Address of the Corporation of Perth Amboy.

S I R,

YOUR Departure from *Perth Amboy* was so sudden, that we had not an Opportunity to give you those publick Testimonies of our Joy for your safe Arrival, that your Station and our Duty requir'd of us; which, we hope, will entitle us to your Pardon for that Omission.

We are very glad you succeed Brigadier *Hunter*, as well in Inclinations as Power, to be favourable to us; and think ourselves Gainers by the Change, having still in him a Friend, in you a Patron and Protector; whose Assistance we presume to hope, because we need it, that being a greater Motive to your generous Temper, than any Thing we are able to do: However, our Endeavours shall not be wanting, and will at all Times be join'd to our sincere Desires, that you may continue long amongst us, and make us and yourself happy.

To his Excellency *William Burnett, Esq;*

The humble Address of the Justices of the Peace, High Sheriff, and Grand Jury of the Counties of Middlesex and Somerset, met at their Court of General Quarter Sessions of the Peace, at the City Hall, of the City of Perth Amboy, on the 3d Tuesday in November, in the 7th Year of his Majesty's Reign.

May it please your Excellency,

IT is with the greatest Satisfaction, that we take this Opportunity to congratulate your safe Arrival into this your Government of *New Jersey*; and that the Loss we receive by the Removal of our late Governor Brigadier *Hunter*, whose mild and just Administration will always be remember'd to his Honour.

The Son of so illustrious a Prelate, the Honour of his Age for his remarkable Learning, Piety, and Charity, and an Inheritor of his Virtues, leave us no Room to doubt, that we shall not enjoy all the Happiness

pinels we can expect or desire under your Administration.

We beg Leave to assure your Excellency, we shall never be wanting in our several Stations, to manifest our sincere Affections to your Excellency, by a steady Loyalty to his Majesty, and Obedience to your Excellency's Commands.

May that divine Being whom we all adore, multiply all imaginable Blessings on your Excellency, and continue you in a long and peaceable Administration of this Government: May the Province, under your wise and serene Management, so bury their former Differences, that they may become a happy and flourishing Colony, in, and shall be, the constant Prayers of, your Excellency's most obedient humble Servants, &c.

The following State of the Case, relating to the Surrender of Mr. Knight, was drawn up by a learned Civilian of Brabant, and cannot but be acceptable to the Publick.

A Native of Great Britain, and a Person in a publick Office, where he had the Management of publick Money, being suspected of Misdemeanours and Mismanagement, was personally and legally cited to appear before competent Judges, to answer to Interrogatories relating to certain Facts laid to his Charge; which was comply'd with accordingly: But he (fearing bodily Imprisonment) takes his Measures to escape, and actually flies the Kingdom, carrying with him (as 'tis presum'd) considerable Sums, as well in Money as Effects. And after having cross'd the Sea, and ~~Passers~~, and Brabant, as far as to Tirlemont, (with apparent Intention of leaving Brabant) he there is overtaken, and seiz'd by the Authority of the Government.

The Question is,

Whether any Potentate, Authority, or Judge, being shew'd only requir'd, can, with Justice, refuse to surrender the Person so arrested, and hinder his Removal out of Brabant, in order to be deliver'd up to the Power so claiming and demanding him.

The Opinion is in the Negative.

In order to consider the Question thoroughly, we must, in the first Place, examine, upon what Foundation such a Refusal can be suppos'd to be laid; and then

threw that none of them are of any Avail in the present Case.

This Refusal may be founded upon two Heads :

The *First* is, the Right of *Azylum*, or *Sanctuary*, simple and common.

The *Second* are, the particular Privileges of *Brabant*, granted to them by the 17th Article of the *Joyful Entry*, * which forbids the Removing of a Prisoner out of the Province.

As to the Right of *Azylum*, or Refuge, 'tis neither founded upon Divine Right, nor the Right of Nature, nor of Nations, but purely positive : On the contrary ; *Suum cuique tribuere, Et crimina non relinquere impunita* ; [to give to every Man his Due, and not to leave Crimes unpunish'd,] is agreeable to *all Right*. And in order to distinguish, whether the pretended Right of *Azylum* can take Place, we must consider the Case either as criminal or civil.

It is most certain, that even in *Germany* (where, by Reason of the great Numbers of Princes and States, the Jealousy of their Privileges, in Relation to the *Azylum*, or of giving Sanctuary and Protection [called *Freijburg*] is greater than any where else) the Person now arrested would never have had the Privilege of *Azylum* : For there 'tis properly design'd, *pro subditis, Et etiam forensibus in principis territorio delinquentibus*, [For Subjects, and also, for Strangers transgressing within the Territories of the Prince.] For which, the decisive Reason in the Case of Aliens is, That the Person committing the Fault or Delinquency within the Territory of the Prince, may be said to violate only the Jurisdiction of the Lord, and not of any other Prince ; and therefore he against whom the Crime is committed, may remit the Crime : [*tit. Pro Forensibus : Quod delinquens in Principis territorio solummodo jurisdictionem Domini, (non vero alterius Principis) viola-*

re

* Item. Dat so wat Persoon binnen onsen Lande van Brabant ende van Over Maeze, ghevangen wort, dat wij dien niet en sullen doen voeren, noch laeten voeren, bevangen huijten onsen voorsz. Lande.

Translated verbatim.

Item. That if any Person within our Territories of Brabant and Over Maeze, be made a Prisoner, that we shall not order such a Person, nor permit him, to be carry'd Prisoner out of our foresaid Territories.

re dicatur. Ideo hanc injuriam quoque remittere potest is in quem injuria commissa est. Quod variis rationibus confirmat Nicolaus ab Ebrenbach, Tract de Jure Azyli.]

And altho' upon the Dispute, Whether a Prince of the Empire, setting up an *Azylum*, or Sanctuary, in any City of his Dominions, can bestow upon it so great a Privilege, as that a *Foreigner* being a Delinquent, or committing a Crime out of the Dominions of the said Prince [which is the present Case] can enjoy so far an Immunity, that this *Azylum*, or Right of Refuge can be of Force and Extension to all the Criminals in the Empire? I say, altho' the Affirmative of the Case thus stated may be probable, grounded principally upon this, because the Advocations and Remissions of Delinquents do *now* depend upon the Will and Pleasure of the Prince of the Territory, whether he will send back the Delinquent at the Instance of the Requirer or not? Yet all Authors agree, That these Sorts of *Azylum* (so commanded in *Deuteronomy* and *Joshua*) are only so far praise-worthy, and ought of Right to subsist, whilst they afford Protection (not to voluntary Delinquents, nor to deceitful ones), but to imprudent Persons: *Hæc Azyla tantum Laudem mereri, Et de Jure subsistere, quando patrocinantur non voluntariis nec dolosis* [Den Muthwinligen und vorsetzlichen] *sed imprudentibus.*

Now that the Misdemeanours which a Person commits in his Office, and in the Money depending thereon, are voluntary and deceitful Crimes, is as clear as possible, and is further evinc'd by the Flight of the Delinquent out of *Great Britain*; which excludes him from the Right of *Azylum* in all Nations; more especially he having been personally cited, and having answered to Interrogatories, (which is a Commencement of a criminal Procedure) the Delinquent being fix'd and limited to a certain Town, Province, or Kingdom for his Prison; in which Case (were there no other) the Right of Refuge in a Foreign Country is very disputable; I say, upon this very Head.

And without entering into the Discussion of this Question, 'tis not to be believ'd, that the Sovereign will ever grant a Protection or *Azylum* in his Territories to a Delinquent who was but a Passenger thorough them, and was already upon the utmost Limits of them, in order to save himself in some other Country.

Besides,

Besides, it is to be observ'd, That the German Authors treating of this Matter, speak, *de fœrenfibus, sed sub Imperio*; [of Foreigners, but such as are under the Jurisdiction] and not *de absolute Strangers*: Forasmuch as 'tis commonly receiv'd among all Potentates of the Earth, who are not in actual War, (and in particular, by the High Allies) that Princes take not the Subjects or Vassals of each other into their Protection, without their Prince's particular Consent, let the Case be either Criminal or Civil, (as *Boden*, in his Treatise, *de Republica*, very well observes;) unless the Person so protected were banish'd by his Prince. This agrees with *Solo's* Law, which forbids, that any Foreigner should have the Right or Freedom of a Citizen in *Athens*, who was not banish'd from his own Country; and without giving these Instances, we may generally say, in the Terms of the Law, that the Right of Burgeship is not lost, nor the Power of the natural Prince over his Subject taken away, by Reason of his changing his Place of Abode, or Country.

'Tis very true, that often Princes do draw, and entice Strangers to them, either upon the Score of Religion, or to people their Country, or in order to weaken the Power of their Neighbours, or to gain excellent Artificers, and Persons of superior Abilities, or upon other Views. But, on the other Hand, we likewise see that all Princes do what lies in their Power to hinder this Practice, by forbidding their Subjects to quit their Dominions without Leave: Thus 'tis in *Britain*, *Denmark*, *Sweden*, *Naples*, and elsewhere; the Nobility of which cannot absent themselves without Permission.

And altho' the *Low Countries* (especially *Brabant*) be a very free Country, where, according to the Ordinances of the Year 1312, Strangers might come and Settle their Houholds, and these might afterwards remove themselves whither they pleased: Yet Placards of the 18 of September, 1567; the 1st of July, 1609; the 15th of November, 1627; with the Notes of *Æpens de iuribus Juris Belgici*, according to the Customs of *Flanders*, by him cited, shew that this Liberty is very much limited in several Particulars; and even in our Days we see the Fiscals exert themselves, when the Case touches the Preservation of the Good of the State,

State, in whatsoever Province, City, or Fraternity of Trade, (wherein the Diminution, or Disadvantage of the Publick, may be conceiv'd) it may happen. And therefore (over and above the several Treaties) Princes make By-laws and Ordinances for the Preservation of the State, which ought, certainly, to be reckon'd among the Fundamental Laws, tho' they may not perhaps be call'd by that Name. And we may conclude with *Bodinus*, that upon this very Account, Princes are us'd, among themselves, to put in Force *Rogatory Commissions*, or Letters of *Margue*, to make their Subjects obey, and to evoke or reclaim the Causes and Suits against them, (except in Cases of Right determin'd;) and upon this Point, we often see War declared between the Princes requiring and refusing.

Now as to the Second Head, founded upon the particular Privileges of *Brabant*, this ought not to come under Consideration till the Person arrested has declar'd, by some Remonstrance, that he justifieth upon it, and pretends to make his Use of it. For whosoever builds upon a Privilege, ought to alledge and prove it first. However, whilst we are in the Dark, whether such Remonstrance was ever made or not, we may venture to say, that this Privilege can no Way operate in the present Case. All that the Person arrested can alledge must be, that the Text of the *Foyful Entry*, in the 17th Article, wherein it is said, *Whosoever Person*, &c. comprehends in general, and without Distinction, Restriction, or Modification (in Respect to the Person arrested) all Sorts of People, whether of *Brabant*, or of all the *Low Countries*, or any other Way a Subject of the Prince, or an utter Stranger; and that this Privilege is real, and attached and annexed to the Land of *Brabant*. But if any one would dive into the true Sense of this, they would find that the Meaning of it must be, when a *Brabander* is made a Prisoner in *Brabant*, the Duke shall neither cause, nor suffer him to be convey'd a Prisoner out of the Land of *Brabant*. The Word, *Soo wat Persoon*, finds its Signification in the Person of a Subject of *Brabant*, of whatsoever Condition or Sex it may be, whether Man or Woman, Ecclesiastick or Secular, Noble or Ignoble. The Word *Gevangen*, or Prisoner, signifies properly a Criminal Prisoner; and the Meaning is, that a *Brabander* being there made Prisoner, shall be absolutely and finally judg'd by Judges of *Brabant*, and according to the

Laws of Brabant [as in England, all Persons are to be try'd by the Vicinage.] This Law, in its self is good and just, and this corresponds with many other of the Articles in the same *Joyful Entry*, which speak of Judges, and the Execution of Justice; but if we should stretch the Interpretation of it to Strangers, indifferently, it wou'd become very unjust.

All Privileges are to be regularly taken upon the Foot of Remuneration; and thoud this Article be construed so generally, as to extend to Strangers, it would follow, that all Nations in the World had merited from the *Brabanders* and their Duke.

In the Duke of *Alva's* Time, this Matter was pushed very far in Favour of the *Belgian* Provinces in general (they being all then united under the same Sovereign) but never in Favour of absolute Strangers. And altho' we shou'd suppose that *Great Britain* had merited very much at the *Brabanders* Hands, would it therefore follow, or be thought Justice, that a Privilege ought to be allow'd in Favour of a particular Subject of *Great Britain*, to the Disadvantage of that King, the Kingdom or the States of it? Ought this Merit to be return'd the quite contrary Way?

In fine, let us take this Privilege in the most general and comprehensive Sense; and for as strong and fundamental a Law as some would have it: I am going to prove, that it can have no Manner of Operation in the present Case.

By the 24th Article of the *Joyful Entry* it's stipulated, that the Duke shall not suffer his Subjects of *Brabant* to arrest or implead each other out of the Jurisdiction of *Brabant*: And you may note, by the Way, that this Law binds and obliges a Subject of *Brabant*, tho' he be out of the Prince's Territory; and this shews, that as well in *Brabant* as elsewhere, what we asserted before is true, viz. That the Power of the Prince over his Subject is not lost or impair'd by the changing his Place of Abode or Country; and most certainly can never be suppos'd otherwise, *quando mutatio est momentanea*, when this Change is of a sudden, and but for a short Time: And every Man will readily believe, that if this Case should happen in *Great Britain*, the King would give a speedy Redress upon the first Requisition and Instance of the Duke of *Brabant*. These two Privileges contain'd in the 17th and 24th Articles (whereof the Second, taken generally, is more

more strong than the First) ought, with great Reason, to lie under the same Restrictions and Modifications. The Second is actually modified in Terms by the said 24th Article, wherein these Words follow immediately those before quoted, *unless the Person to be arrested be a Fugitive*; if then, a *Brabander* may lawfully arrest his Debtor *Brabander* out of that Country, in Case he be a Fugitive, it is much more equitable to grant the same Privilege in *Brabant* to Strangers.

But further, whoever peruses the Treaties between *England* and the Sovereigns of *Brabant*, will find by them, that the Obligations between these two Nations are much stronger than between *Brabant* and any other Foreign Country. The Treaty of 1493, confirmed by several subsequent Treaties, viz. those of 1624, 1630, and 1660, contains this Clause, as translated out of the Latin, Chap. 17. *That any Subject of either of the two Princes, alledging, that his Debtor is justly suspected to be a Fugitive, the said Debtor ought to be put and held under Arrest, unless he proves, that he ought not to be suspected of being such Fugitive.* But here the Question is not between particular subjects of the different Potentates, whereof the one is barely suspected of Flight; but wherein a King, a Kingdom, a whole Nation are concern'd, pursuing a Subject, truly a Fugitive, by such plain Proofs as admit of no Contradiction: A Subject in a publick Office, entrusted with the Management and Disposal of vast Sums of Money, whereon depends the Publick Credit of the whole Nation: A Person who ought to be sent back to be judged according to the Laws of his own Country; it being a Thing impossible, that those Laws should be thoroughly understood by any Judges of a foreign Country.

And who can imagine, that the Sovereign of *Brabant*, should refuse to send him Home, considering, that by the stipulations in the Treaties, the two Princes have oblig'd themselves reciprocally to procure and promote, in all Things, whatsoever shall be to the Advantage of each of them, and of his Nation; and also, to hinder every Thing that may be any Ways hurtful? And as to the States of *Brabant*, how should they dare to oppose the Surrender and Return of such a Criminal? Surely, they would not be willing that the like should happen in their own Case, if one of the Receivers of publick Money should run away and take

Shelter in Great Britain. There is a Rule which is very good and natural, which dictates, *Quod tibi non nocet, alteri Prodest, facile est concedendum*; Maxime dum non solum non prodest, sed multum noceret si non fieret. Whatsoever does you no Hurt, and does another Person good, ought to be easily granted; but especially when it would do no good, but might do a great deal of harm if it were not done. Now no body can see what Harm or Injury it would do the Brabanders, if the Person arrested were sent over; or to their Privilege, whereof the Sense and Meaning has been declared dubious by the Act of the Magistrate of Brussels, made the 6th Day of October, 1692, and sign'd A. Jacobs, at the Instance of the Scout of Amsterdam against Peter Baltazar Lievens, a bankrupt of Amsterdam, detain'd a Prisoner in the same. (a Prison so call'd at that Time) the Words of that Act are, That whereas the Prisoner pleaded, that the Privileges of Brabant ought to operate in his Favour, although he was neither a Brabander nor Subject of his Majesty; under the Pretext, that the Article was couched in general Terms; therefore, in order to avoid any Infraction, it was resolv'd, to leave the Sense and Interpretation of it to the Council of Brabant: Which at last, was finally determin'd and put beyond all Doubt by the Decree of the Governor General, with the Advice and Consent of the said Council, and of the Estates. By Virtue of which, the Prisoner was surrender'd, and put into the Possession of the Resident of the States-General of the United Provinces.

There were these further Differences and Specialities between this and the present Case, That the said Lievens was a Roman Catholick; and averr'd, that he retir'd into Brabant, in order to have the free Exercise of his Religion: That he came into Brabant, with a Design to settle his Household and Family there; that he had already for a long Time dwelt there; that the Jurisdiction of the Judge over him in Holland, was not yet thoroughly founded by any Act of Summons, or otherwise.

In the present Case it is therefore most certain, that the Requisitions, or Instances of his Majesty of Great Britain's Ministers ought to take Place, notwithstanding all Privileges of this Nature; which, according to the Opinion of the before-cited Zipse, (in his Introduction) might even be abrogated. His Words are as follows—*Sed & hac ipsa (Privilegia) spequentem patiuntur*

tiuntur abrogationem, si quod in utilitatem publica considerationis concessum est, incipiat vergere in nimium damnum, vel etiam modum excedat: Et etiam possunt ipsi Ordines privilegia concessa remittere, dummodo causa aliqua subfit: imo, potest Princeps Leges publicas & promissa non tenere si irrationabiles sint vel deveniant, & aliud salus publica exigat. — But these very Privileges do frequently bear an Abrogation, if what was at first granted for the Sake of the Publick Welfare, should begin to turn to its great Detriment, or should exceed a just Measure; and the very States themselves can, upon Occasion, remit the Privileges granted to them: Nay, the Prince may suspend the publick Laws and his Promises, if they be or become unreasonable, and the Publick Safety require it.

And it's believ'd, for this very Reason, at the Time of the Joyful Entry of Philip the Second, [Charles the Fifth of immortal Memory, being then present and assisting, in the Year 1549.] after several Conferences and Debates held between the Prince and the States (by Commissaries, who thoroughly understood the Authority and Superiority of the Prince, as well as the Original Rights and Privileges of the Country) upon Occasion of changing or moderating the Articles, according as they should be *observable*, or *non-observable*, in Respect to the Promise made by the Prince, to observe them in the last Article but one that this Clause was added, — *so far as the said Articles are to be observed, or are observable*; which Clause has ever since been inserted in all the subsequent Joyful Entries. And we think it's sufficiently demonstrated, that the Privilege in Question is among the Number of the *Non-observables* with Regard to Foreigners: And namely, in the Case of a Subject of Great Britain; who, besides all the forgoing Reasons, was in *procinctu*, just ready to run out of Brabant it self, and has thereby render'd himself unworthy of any Privileges belonging to a *Brabander*. Thus far the learned Civilian of Brabant.

GREAT

GREAT BRITAIN.

THE Ceremonies observ'd in the Election of Knights of the Most Noble Order of the Garter, not having been inserted in any of our Registers, we think fit to take the Opportunity of the Election lately made in the Persons of the Duke of *Grafton* and Earl of *Lincoln*, to give the Particulars of that Solemnity.

His Majesty having determin'd on the 27th of *March*, to hold a Chapter of the most Noble Order of the Garter, the Knights Companions Resident in and near *London*, were summon'd by Virtue of Letters from the Lord Bishop of *Salisbury*, Chancellor of the Order, signifying the Sovereign's Pleasure for their personal Appearance at *St. James's* that Evening; whereupon his Royal Highness the Prince, and ten other Knights Companions, habited in their Mantles, together with the Chancellor, Garter King of Arms, and the Gentlemen-Usher of the Black Rod, Officers of the said Order, wearing their different Badges and respective Mantles, waited his Majesty's Coming, in the Apartment next to his Cloister: And upon his Majesty's Appearance, robed in the Mantle of the Order, Garter, by the Sovereign's Command, called over the Names of the Knights Companions, beginning with the Juniors, and then the Procession to the Council Chamber was in the following Order, wherein the Juniors went first, and those Knights whose Companions were not present went Single, viz.

On the Left

On the Right

Earl of *Sunderland*, and Duke of *Kingston* a-breast.

Duke of *Newcastle* alone.

Duke of *Montague*, and Duke of *St. Albans* a-breast.

Duke of *Bolton* alone.

Duke of *Kent* alone.

Duke of *Argyll*, and Duke of *Devonshire*, a-breast.

Duke of *Richmond* alone.

Garter King of Arms having the Gentleman-Usher of the Black Rod on his Left-hand.

The Chancellor of the Order with his Purse and Seal.

The SOVEREIGN.

Having thus entred the Chapter-Room, the Knights stood behind their several Chairs, plac'd according to the Situation of their Stalls in the Royal Chapel of *Windſor*, till

till the Sovereign had seated himself in a Chair of State, when the Knights Companions, seated themselves by his Majesty's Leave, the Chancellor of the Order standing near his Majesty, and Garter King of Arms having the Black Rod on his Left-hand, at the lower End of the Table. The Chancellor, by the Sovereign's Command, declar'd his Majesty's Intention that the Vacancy occasion'd by the Death of the late Duke of *Buckinghamshire*, should be supply'd by the Election of a new Knight Companion: The Statutes of the Order prohibiting the Election of any Person who hath not actually receiv'd the Honour of Knighthood, the Sovereign commanded *Garter* to bring in *Charles Duke of Grafton*, Lord Lieutenant of *Ireland*, who being introduc'd between *Garter* and the *Black Rod*, kneeled down before his Majesty, and was knighted with the Sword of State, and then retir'd out of the Room. Immediately afterwards each Knight Companion having wrote down the Names of nine Persons whom they esteem'd qualify'd to be elected, that is, three Earls, or of higher Degree, three Barons, and three Knights, to which they severally set their Hands; and the Chancellor having collected their Scrutinies, beginning with the youngest Knight, and so proceeding in Order, presented the same on his Knee to the Sovereign, who, upon Perusal thereof, commanded the Chancellor to declare the said Duke of *Grafton* duly elected: Upon which *Garter*, accompany'd with the *Black-Rod*, was sent to introduce him to the Sovereign to be invested; and having brought him to the Door of the Chapter Room, at the Entrance he was receiv'd by the two youngest Knights, and conducted between them up to the Sovereign, with the usual Reverences, *Garter* King of Arms carrying before them on a Cushion, the *Garter* (the Ensign of the Order) and a Gold *George* in a Blue Ribbon, having the Black Rod on his Left-hand; and these Junior Knights returning to their Seats, *Garter* King of Arms, on his Knee, presented to the Sovereign the *Garter*, who deliver'd the same to the two Senior Knights, and they buckled it about his left Leg, while the Chancellor read the Admonition enjoyn'd by the Statutes; and then *Garter* likewise on his Knee presented to the Sovereign the Blue Ribbon with the Gold *George*, and his Majesty, assisted by the said two Senior Knights, put it over his Left Shoulder athwart under his Right Arm, who was then kneeling, the Chancellor, at that Time, reading the usual Admonition; and then the said Duke of *Grafton* having kissed the Sovereign's Hand, and

and thank'd his Majesty for the great Honour done him, rose up, saluted severally the Companions, who all congratulated him, and then he withdrew.

The Chancellor then declar'd the Sovereign's farther Pleasure of filling the Vacancy occasion'd by the Death of the late Duke of Rutland, and the same Ceremonies being in every Respect observ'd, the Right Honourable Henry Earl of Lincoln, Gentleman of his Majesty's Bed-chamber, was also declar'd duly elected, and invested with the Ensigns accordingly. And then the Knights Companions being again call'd over, they return'd in the same Order to the Apartment next to his Majesty's Closet.

On Saturday the 15th of April, a little after Seven a-Clock in the Evening, her Royal Highness the Princess of Wales was happily deliver'd of a Prince at Leicester-House, there being then present in the Room his Royal Highness the Prince of Wales, the Dutchesse of Dorset and Shrewsbury, the Countesses of Pembroke, Grantham, Cowper, and Bristol, Ladies of her Royal Highness's Bed-chamber, the Countess of Essex, the Women of her Royal Highness's Bed-chamber, Sir David Hamilton, and Mrs. Crane, the Midwife, who laid her Royal Highness. Their Royal Highnesses dispatch'd the Lord Herbert to acquaint his Majesty with it, and to make their Compliments, and his Majesty was pleas'd to send immediately Colonel Negus, Commissioner for executing the Office of Master of the Horse, with his Compliments to their Royal Highnesses. Her Royal Highness's safe Delivery being soon made publick by the Firing of the Cannon in St. James's Park, an universal Joy was seen that Evening among all sorts of People throughout London and Westminster, of which the usual Demonstrations were shew'd by ringing of Bells, Illuminations, and Bonfires.

The 17th his Majesty was pleas'd to make a Visit to her Royal Highness on this happy Occasion, and to see the young Prince.

The 18th, The Lord Mayor and Court of Aldermen of the City of London, waited on his Majesty, to congratulate him on the Birth of the young Prince; and Mr. Recorder made their Compliments to his Majesty, to the following Effect:

May it please your Majesty,

THE Lord Mayor and Court of Aldermen of the City of London, most humbly intreat your Majesty's Permission to congratulate your Majesty on the Birth of the young Prince.

These

These your Majesty's faithful and dutiful Subjects, being sensible of their Felicity under the Government of a Protestant King, having Reason to be thankful for the Preservation of their Religion, their Laws and Liberties, and for the many Blessings they enjoy from your Majesty's mild, and gracious Disposition, cannot but rejoyce at this Increase of your Majesty's Royal Progeny, at this Addition of Strength to the Protestant Interest, and on this agreeable Prospect of his Continuance of Happiness to them and their Posterity.

They have great Satisfaction in the Hopes that this young Prince will inherit the bright and virtuous Qualities of his Ancestors; they beg Leave to wish for his Health and Welfare; and that your Majesty may live long, and have the Comfort to see him flourish and prosper, to see him prove an Ornament to your Majesty's most illustrious Family, a Glory and Honour to the British Nation.

To which his Majesty was pleased to give the following most gracious Answer.

THE Zeal and Affection you have upon all Occasions shewn to my Person and Government, leave me no Room to doubt of your Joy at this happy Increase of my Family.

I cannot omit taking this Opportunity of assuring you, That I am truly concern'd at the Calamity brought upon you, by the wicked Management of Affairs in the South-Sea Company: I have, however, this Comfort, That the Reproach of any Part of this Misfortune cannot with the least Justice be imputed to me. Nothing will give me more Ease and Satisfaction, than the seeing you deliver'd from your present Sufferings; your Trade reviv'd, and publick Credit re-establish'd.

Some Days after this, the King being in Council, the following remarkable Order was made.

At the Court of St. James's, the 28th Day of April, 1721.

PRESENT,

The King's Most Excellent Majesty in Council.

HIS Majesty having receiv'd Information, which gives great Reason to suspect that there have lately been, and still are, in and about the Cities of London and Westminster, certain scandalous Clubs or Societies of young Persons who meet together, and in the most impious and blasphemous

blasphemous Manner, insult the most sacred Principles of our holy Religion, affront Almighty God himself, and corrupt the Minds and Morals of one another; and being resolv'd to make Use of all the Authority committed to him by Almighty God, to punish such enormous Offenders, and to crush such shocking Impieties, before they increase and draw down the Vengeance of God upon this Nation; his Majesty has thought fit to command the Lord Chancellor, and his Lordship is hereby requir'd to call together his Majesty's Justices of the Peace of *Middlesex* and *Westminster*, and strictly to enjoin them, in the most effectual Manner, that they, and every of them, do make the most diligent and careful Enquiry and Search for the Discovery of any thing of this and the like Sort, tending in any wise to the Corruption of the Principles and Manners of Men, and to lay before his Lordship such Discoveries as from time to time may be made, to the End that all proper Methods may be taken for the utter Suppression of all such detestable Practices. His Lordship is farther directed to urge them to the due Execution of their Office, in detecting and prosecuting, with Vigour, all Profaneness, Immorality, and Debauchery, as they value the Blessing of Almighty God, as they regard the Happiness of their Country, which cannot subsist, if Things Sacred and Virtuous are trampled upon, and as they tender his Majesty's Favour, to which they cannot recommend themselves more effectually, than by shewing the utmost Zeal upon so important an Occasion; to which End his Lordship is to acquaint them, that as his Majesty for himself has nothing more at Heart than to regard the Honour of God, so impiously struck at, and is determin'd to shew all Marks of Displeasure and Discouragement to any who may lie even under the Suspicion of such Practices; so he shall always account it, the greatest and most substantial Service they can do to his Majesty or his Government, to exert themselves in discovering any who are guilty of such Impieties, that they may be openly prosecuted and punish'd with the utmost Severity and most publick Ignominy which the Laws of the Land can inflict.

Edward Southwell.

His Majesty was pleas'd to give Orders to the Principal Officers of his Household, to make strict and diligent Enquiry whether any of his Majesty's Servants are guilty of the horrid Impieties mention'd in the above Order, and to make Report thereof to his Majesty.

By the King,

A Proclamation, commanding Apothecaries to follow the Dispensatory lately compiled by the College of Physicians of London.

GEORGE R.

Whereas nothing is more likely to be of fatal Consequence to the Healths and Lives of our Subjects, than the ill compounding or making up of Medicines, to be administer'd to Persons afflicted with Sickneſs, contrary to the Preſcriptions of their Phyſicians, beſides that a groſs Deceit thereby would be put upon the Patients: And whereas there has been compiled, in the *Latin Tongue*, a by the College of Phyſicians of *London*, a Book, intitled, *Pharmacopœia Londinenſis*, preſcribing and directing Apothecaries, the general Forms of diſpenſing and compounding all Sorts of Medicines, diſtilling Oils and Waters, and making ſuch like Extracts, together with the true Weights and Meaſures, by which they ought to be made; which Book, through the great Care and Industry of the ſaid College, has been lately revis'd and amended, and is now perfected, and ready to be publiſh'd, and is a Work which will greatly tend to the publick Good of our Subjects, by preventing all Deceits, Differences, Varieties, and Uncertainties in making or compounding of the Medicines, and diſtilling of the Oils or Waters therein mention'd, if, for the future the Manner and Form preſcrib'd by the ſaid Book ſhould be generally and ſolely practiſed by Apothecaries and others, in their Compoſitions of the ſaid Medicines, and Diſtillations of the ſaid Waters or Oils, &c. We therefore being deſirous to provide in all Caſes for the common Good of our People, and being perſwaded the eſtabliſhing the general Uſe of the ſaid Book may tend to the Prevention of ſuch Deceits in the making and compounding Medicines wherein the Lives and Healths of our Subjects are ſo highly concern'd, have, by and with the Advice of our Privy-Council, thought fit to iſſue this our Royal Proclamation, notifying to all Apothecaries, and others concern'd, to the Intent they may not pretend Ignorance thereof, that the ſaid Book call'd *Pharmacopœia Londinenſis* is perfected, and ready to be publiſh'd: And we therefore ſtrictly require, charge, and command, all and ſingular Apothecaries, and others, whoſe Buſineſs it is to compound Medicines or diſtill'd Oils or Waters, or make other Extracts within any Part of our Kingdom of *Great Britain* call'd *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, that they and every of them, im-

mediately after the said *Pharmacopœia Londinensis* shall be printed and published, do not compound, or make any Medicine or Medicinable Receipt or Prescription, or distil any Oyl or Water, or make other Extracts, that are or shall be in the said *Pharmacopœia Londinensis* mentioned or named, in any other Manner or Form than is or shall be directed, prescribed and set down by the said Book, and according to the Weights and Measures that are or shall be therein limited, except it shall be by the special Direction or Prescription of some learned Physician in that Behalf. And we do hereby publish and declare that the Offenders to the contrary shall not only incur our just Displeasure, but be proceeded against for such their Contempt and Offences, according to the utmost Severities of Law.

Given at our Court at St. James's, the Fifth Day of March, 1720-21. In the Seventh Year of our Reign.

By the King.

A Proclamation for Apprehending and Securing the Persons of Doctor Gaylard, Apprentice to Nathaniel Mist of Great Carter-Lane, in the City of London, Printer, and of Nathaniel Wilkinson.

G E O R G E R.

WHEREAS Doctor Gaylard, an Apprentice of Nathaniel Mist of Great Carter-Lane, in the City of London, Printer, and Nathaniel Wilkinson, an Assistant to the said Nathaniel Mist in Composing for the Press, having been summoned to attend a Committee of the House of Commons, appointed to enquire into the Authors, Contrivers, Printers, and Publishers of the Seditious and Traiterous Libel, entituled, *The Weekly Journal, or Saturday's Post, with the freshest Advices Foreign and Domestick*, Saturday, May 27th 1721, and all other seditious and traitorous Libels, which tend to raise Discontents and Disaffections in the Minds of his Majesties Subjects, did not obey the said Summons: Whereupon it was Ordered by the said House of Commons, That the said Doctor Gaylard and Nathaniel Wilkinson should be taken into the Custody of the Serjeant at Arms attending the said House; but they have absconded, and cannot be apprehended. And whereas an humble Address hath been presented to us by the Knights, Citizens, and Burgesses, and the Commissioners for Shires and Burghs, in Parliament assembled, that we would be graciously pleased immediately to issue our Royal Proclamation for Apprehending the said Doctor Gaylard and Nathaniel Wilkinson, with

a Promise of Reward for the same : We have thought fit, by the Advice of our Privy Council, to issue this Royal Proclamation, hereby requiring and commanding all our loving Subjects wharsoever to discover and apprehend, or cause the said *Doctor Gaylard* and *Nathaniel Wilkinson* to be discovered and apprehended, and to carry them before some of our Justices of the Peace, or chief Magistrates of the County, Town, or Place, where they, or either of them, shall be apprehended ; who are respectively required to secure the said *Doctor Gaylard* and *Nathaniel Wilkinson*, so apprehended, and thereof to give speedy Notice to one of our Principal Secretaries of State, to the End they may be forthcoming, to be dealt withal and proceeded against according to Law. And for the Prevention of the Escape of the said *Doctor Gaylard* and *Nathaniel Wilkinson* into Parts beyond the Seas, we do require and command all our Officers of the Customs, and other our Officers and Subjects of and in our respective Ports and Maritime Towns and Places within our Kingdom of *Great Britain*, that they, and every of them, in their respective Places and Stations, be careful and diligent in the Examination of all Persons that shall pass, or endeavour to pass, beyond the Seas ; and if they shall discover the said *Doctor Gaylard* and *Nathaniel Wilkinson*, then to cause them to be apprehended and secured, and to give Notice thereof, as aforesaid. And we do hereby strictly charge and command all our loving Subjects, as they will answer the contrary at their Perils, that they do not any ways conceal, but do discover them the said *Doctor Gaylard* and *Nathaniel Wilkinson*, to the End they may be secured. And for the Encouragement of all Persons to be diligent and careful in endeavouring to discover and apprehend them the said *Doctor Gaylard* and *Nathaniel Wilkinson*, we do hereby further declare, that whosoever shall discover and apprehend them the said *Doctor Gaylard* and *Nathaniel Wilkinson*, and shall bring them before some Justice of the Peace or Chief Magistrate, as aforesaid, shall have and receive, as a Reward for the Discovery, Apprehending, and Bringing each of them the said *Doctor Gaylard* and *Nathaniel Wilkinson* before such Justice of the Peace or Chief Magistrate, as aforesaid, the Sum of Two Hundred Pounds, which our Commissioners of our Treasury are hereby required and directed to pay accordingly.

Given at our Court at St James's, the Eleventh Day of June, in the Seventh Year of our Reign.

God save the King.

About

About the Beginning of May, were publish'd by his Majesty's Command, the following Directions to our *Archbishops and Bishops, for the Preserving of Unity in the Church, and the Purity of the Christian Faith, particularly in the Doctrine of the Holy TRINITY.*

GEORGE R.

MOST Reverend and Right Reverend Fathers in God, we Greet you well. Whereas we have been given to understand, That divers impious Tenets and Doctrines have been of late advanc'd and maintain'd with much Boldness and Openness, contrary to the great and fundamental Truths of the Christian Religion, and particularly to the Doctrine of the Holy and ever Blessed Trinity; and that moreover divers Persons, as well of the Clergy as Laity, have presum'd to propagate such impious Doctrines, not only by publick Discourse and Conversation, but also by Writing and Publishing Books and Pamphlets in Opposition to the said Sacred Truths; to the great Dishonour of Almighty God, the Disturbance of the Peace and Quiet of this our Church and Nation, and the Offence of all pious and sober minded Christians.

We therefore, out of our Princely Care and Zeal for preserving the Purity of the Christian Faith, of which we are, under God, the chief Defender, and also for preserving the Peace and Quiet of Church and State, do strictly charge and require you our Archbishops and Bishops, to whom, under us, the Care of Religion more especially belongs, that you do, without Delay, signify to the Clergy of our Dioceses this our Royal Command, which we require you to see duly publish'd and observ'd; namely, That no Preacher whatsoever, in his Sermon, or Lecture, do presume to deliver any other Doctrine, concerning the great and fundamental Truths of our most holy Religion, and particularly concerning the blessed TRINITY, than what are contain'd in the Holy Scriptures, and are agreeable to the Three Creeds, and the Thirty nine Articles of Religion.

And whereas divers good Laws have been enacted for the Restraining the exorbitant Liberties aforesaid, one particularly in the Thirteenth Year of Queen Elizabeth, Intitul'd, *An Act for Ministers of the Church to be of sound Religion*; by which it is provided, 'That if any Person Ecclesiastical, or which shall have Ec-

ecclesiastical Living, shall advisedly maintain, or affirm, any Doctrine directly contrary or repugnant to the Thirty nine Articles, and being convented before the Bishop of the Diocese, shall persist therein, or not revoke his Error, or after such Revocation estoön affirm such untrue Doctrine, such maintaing, or affirming, and persisting, or such estoön affirming, shall be just Cause to deprive such Person of his Ecclesiastical Promotion: And it shall be lawful to the Bishop of the Diocese, or the Ordinary, to deprive such Person so persisting, or lawfully convicted of such Estoöns affirming, and upon such Sentence of Deprivation pronounc'd, he shall be indeed depriv'd: And one other Act of Parliament made in the Ninth Year of King *William the Third*, Intituled, *An Act for the more effectual Suppressing of Blasphemy and Prophaness*; by which it is provided, 'That if any Person shall, by Writing, Printing, Teaching, or advised Speaking, deny any one of the Persons in the Holy Trinity to be God; or shall assert and maintain there are more Gods than one; or shall deny the Christian Religion to be true; or the Holy Scriptures of the Old and New Testament to be of Divine Authority; and shall, upon Indiction or Information, in any of his Majesty's Courts at *Westminster*, or at the Assizes, be thereof lawfully convicted by the Oath of Two or more credible Witnesses; such Person, for the First Offence, shall be adjudged incapable and disabled in Law to have or enjoy any Office or Employment Ecclesiastical, Civil or Military; and that if any Person so convicted, as aforesaid, shall, at the Time of his Conviction, enjoy or possess any Office, Place, or Employment, such Office, Place, or Employment shall be void; and if he offend and be convicted a second Time of any of the said Crimes, he shall be disabled to sue, prosecute, plead, or use any Action or Information in any Court of Law or Equity, or to be Guardian of any Child, or Executor, or Administrator of any Person, or capable of any Legacy, or Deed of Gift, or to bear any Office, Civil or Military, or Benefice Ecclesiastical, for ever, within this Realm; and shall also suffer Imprisonment for the Space of three Years, without Bail or Mainprize, from the Time of such Conviction: We therefore being desirous to discountenance and suppress all

all such impious Attempts and Practices, to the utmost of our Power, do strictly charge and command you to make Use of your own Authority for that End, according to the Tenor and Direction of the said Act, made in the 12th Year of Queen Elizabeth, together with all other Means and Endeavours suitable to your holy Profession, for opposing and suppressing all such Practices. And we on our Part, will give strict Charge to our Judges, and all other Civil Officers, to do their Duty in executing the said Act made in the 9th Year of King William the Third, and all other good and wholesome Laws made for the Preservation of our holy Religion, upon such Persons as shall offend against the same, and thereby give Occasion of Scandal and Disturbance in our Church and Kingdom.

Given at our Court at St. James's the 7th of May
1721, in the Seventh Year of our Reign,

By his Majesty's Command,

CARTERET.

Moneys advanc'd and paid off in the *Exchequer*, on the following Funds, to June 16, 1721.

Int.	Exchequer.	Advanc'd.	Paid off.	Numb.
4	7th 3 Shilling Aid	1410000	1392373	2133
4	8th 3 Shilling Aid	1410000	999349	1054
6	Hops	180000	173778	681
4	Malt 1719	700000	552194	1115
4	Malt 1720	700000	260500	354
4	Coals	228787	183843	689
	Malt 1718, all paid off.			

All the Benefits in the Lottery 1710, that are unsubscribed, and due the 25th of March, 1720, are in Course of Payment.

Bank pay their Dividend of 3 per Cent. Mondays and Saturdays, all Day, and every Afternoon besides, Holidays excepted.

F I N I S

THE
Historical Register.

 NUMBER XXIII.

GREAT BRITAIN.

Scotland.



ON the 11th of May the General Assembly of the Church of Scotland met at Edinburgh, and chose for their Moderator Mr. Thomas Black of Perth: Then his Majesty's Commission, appointing the Earl of Rothes High Commissioner, being read, his Lordship presented the King's Letter to the Assembly, which was also read, as follows,

GEORGE R.

RIGHT Reverend and well-beloved, we greet you well. We have receiv'd so many Instances of the Loyalty and Affection of the Church of Scotland, both to our Person and Government, which have been manifested, as well in the last, as in former Assemblies, that we very willingly countenance by our Royal Authority your Meeting at this Time, and take this Opportunity of renewing to you our repeated Resolutions, to promote the Interest, and inviolably to maintain the Rights and Privileges of the Presbyterian Church of Scotland; nor do we doubt, but you will concur with us in our earnest Endeavours for the promoting the true reform'd Religion and Virtue, and for the discouraging Vice and Immorality, and that nothing will be wanting on your Parts, for the obtaining these desirable Ends.

We hope you will apply yourselves with Concord and Unanimity, to dispatch the Affairs proper and necessary to be consider'd in this Assembly, and guard against all Matter of Contention, since you cannot but foresee the

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many unhappy Consequences with which Divisions among you may be attended.

We are so sensible of the many faithful Services of our right trusty and well-beloved Cousin, *John Earl of Rothes*, which he has evidenc'd in so many former Assemblies, that we have thought fit to renew our Choice of him to represent our Royal Person in this; believing, that none can be more acceptable to you, than one, who upon all Occasions has distinguish'd himself for the Interests of our Government, of the Protestant Religion in general, and for the Safety and Welfare of the establish'd Church of Scotland in particular, and so we bid you heartily farewell.

Given at our Court at St. James's the 4th Day of May 1721, in the Seventh Year of our Reign.

*By his Majesty's Command,
Sic Subscribitur, Roxburgh.*

Superscrib'd thus,

To the Right Reverend and well-beloved, the Moderator, Ministers, and Elders of the General Assembly of the Church of Scotland.

After this, his Majesty's High Commissioner made a Speech to the Assembly, which was answer'd on their Part by their Moderator; and a Committee was appointed to draw up a dutiful Answer to his Majesty's most gracious Letter, which being reported on the 13th, was unanimously approv'd; and having been transmitted by the High Commissioner to his Grace the Duke of Roxburgh, one of his Majesty's Principal Secretaries of State, was presented to his Majesty, as follows:

May it please your Majesty,

THE particular Notice your Majesty is pleas'd to take in your most gracious Letter to us, of the steady Loyalty and Affection of the Church of Scotland to your Majesty's Person and Government, which they have always judg'd their Duty and Interest to maintain, does encourage, and will excite us to give renew'd Instances of both, on every proper Occasion that may occur. We esteem it a singular Instance of the divine Goodness, that we can hold our Assemblies under the Protection of your Majesty's Authority, and do, with all humble Thankfulness, acknowledge your Royal Favour in countenancing our Meeting at this Time, and renewing to us
your

your repeated Resolutions to promote the Interest, and inviolably to maintain the Rights and Privileges of this Church. We should be extremely wanting in our Duty to that God by whom King's reign, and unworthy of a King who hath shew'd so great Zeal for promoting the Reform'd Religion and Virtue, and for discouraging Vice and Immorality, if we did not, on our Parts, most cheerfully concur with your Majesty for obtaining these valuable and desirable Ends. We are very sensible of the fatal Consequences which would unavoidably attend *Dissensions* among ourselves, and do resolve, in the Strength of our most gracious God through Christ, to guard against all Matter of Contention, and to dispatch the Affairs proper and necessary to be consider'd in this Assembly, with that Unanimity and Concord which becomes the Members of a Body, whereof our Lord Jesus Christ, the Prince of Peace, is the Head.

The many faithful Services of the Earl of *Rothes* when representing your Majesty in so many former Assemblies, and his having distinguish'd himself on all Occasions for the Interest of your Majesty's Government, and of the Protestant Religion, and for the Safety and Welfare of the establish'd Church of *Scotland*, does render your Majesty's Choice of him, to represent your Royal Person in this Assembly, most acceptable to us.

We do with the greatest Thankfulness acknowledge the Goodness of God, in protecting your Majesty's Person, and conferring so many signal Blessings upon your Royal Family, particularly in strengthening the Protestant Succession by the Birth of a young Prince.

That your Majesty may be long preserv'd for the Comfort of this Church, the Happiness of your people, the Support of the Reform'd Interest, and Relief of distress'd Protestants Abroad, and the general good of Europe; that the best of Blessings may be bestow'd upon their Royal Highnesses the Prince and Princess of *Wales*, and all their Royal Issue, and after a long and prosperous Reign upon Earth, you may be crown'd with a blessed Immortality, are the earnest and fervent Prayers of,

May it please your Majesty,

*Your Majesty's most faithful and loyal Subjects,
The Ministers and Elders met in this General Assembly of the Church of Scotland.*

Edinb. May

Sign'd in our Presence, by

Tho. Black, Moderator.

13, 1721.

On the 13th, the Register of the late Commission and Proceedings of the several Synods were call'd for; and being produc'd, a Committee for each of them was nam'd, and the Books deliver'd to them to be revis'd. A Petition was also read this Day for the Parish of *Duirnes* in *Strathnaver*, consisting of fifty Miles in Length, and thirteen in Breadth, where are five Places of publick Worship, and craving a Recommendation for a voluntary Contribution, for helping to maintain more Ministers; and the General Assembly granted the same, as a most pious and necessary Work. Then a Committee was named, to receive the Instructions of Presbyteries to their Representation, and Overtures, and it is the same; as also to consider the Case of the Church in the North, and Highlands, and what may be done for suppressing Popery. On the 14th, the Rev. Mr. *John Willison*, Minister at *Dundee*, did lecture and preach before his Majesty's Commissioner, and Members of the Assembly, and took for his Text, 2 *Thess.* 2. 10. And the Rev. Mr. *David Brown* preach'd before them in the Afternoon upon *Isa.* 62. 6th and 7th Verses. The next Day the Assembly had under Consideration an Appeal from the Provincial Synod of *Perth* and *Stirling*, with Relation to the Settlement of Mr. *Duncan* in the vacant Churches of *Stowan* and *Monymaid*, and after hearing Parties, did, *Nemine Contradicente*, affirm the Synod's Sentence for settling the said Mr. *Duncan* there. Then the General Assembly renew'd a former Recommendation for Charity to some French suffering Protestants, now settled in a Colony in *Hilderburghausen* in *Saxony*, many of whom had been Galley-Slaves, but reliev'd by the Intercession of his Majesty King *George*. There being a Petition from the Parish of *Ellon*, for having the Parishes of old *Meldrum* and *New-Macher* annex'd to them, it was referr'd to the Synod to grant the same, if the Heretors and Parishioners have no relevant Objection there-against. There were divers other Affairs tabled, and Diets appointed for hearing of them, and several Petitions read:

But the High Commissioner being unhapily so far indispos'd, as not to be able to sit in the General Assembly, they thereupon thought fit to adjourn, after having referr'd the Matters before them to their Commission.

*Proceedings of the Parliament of Great Britain, continu'd
from Page 125 of the last Register.*

April 29. **N**otice was taken in the House of Lords, that little or nothing had yet been done towards punishing the Author and Printer of an impious Libel, complain'd of in that House last Sessions, entitled, *A sober Reply to Mr. Higg's merry Argument for the Trinitistical Doctrine of the Trinity*, while other meaner Offenders had been prosecuted with Vigour, and brought to Punishment. The Earl of Nottingham, and some others, complain'd of the Growth and Spreading of Atheism, Profaneness, and Immorality; and thereupon the Lord Willoughby of Brooke, Dean of Windsor, brought in a Bill for the more effectual suppressing of Blasphemy and Profaneness, which, in Substance, was to the Effect following, viz.

The Preamble recited, 'That many Books had been publish'd of late, in which the Authors ha'd deny'd the Divinity of our Saviour Jesus Christ, the Doctrine of the Holy Trinity, and the Truth of the Christian Religion; which Offences, the Laws in Being not having been sufficient to restrain, therefore, for the more effectual suppressing of such detestable Practices, it is enacted,

I. 'That the Author of any Book which should be hereafter publish'd, wherein the Being of God, the Divinity of our Saviour Jesus Christ, the Son of God, or of the Holy Ghost, or the Doctrine of the most Holy Trinity, as set forth in the Thirty nine Articles of the Church of England, or the Truth of the Christian Religion, or the divine Inspiration of the Holy Scriptures, should be deny'd; and every Person who should by advised speaking deny the same, should, for every such Offence, being thereof lawfully convicted, by the Oaths of Witnesses, over and above the Penalties inflicted by the Statute of the 9th of King William III, entitled, *An Act for the more effectual suppressing Blasphemy and Profaneness*, suffer Imprisonment for Months, unless he should, within Months after such Conviction, publickly renounce his Error, and make a Profession of his Faith in the following words. *I A. B. do solemnly and sincerely profess and declare, that I do believe that there is but one living and true God everlasting, the Maker and Preserver of*
all

all Things both visible and invisible; and that in the Unity of the Godhead there be three Persons of one Substance, Power, and Eternity, the Father, the Son, and Holy Ghost; and I do acknowledge the Scriptures of the Old and New Testament to have been written by divine Inspiration. And that every Printer or Publisher of such Books should, for every such Offence, being thereof lawfully convicted, over and above the Penalties in the said Statute of King William, suffer Imprisonment for Months, unless he make Proof who was the Author of such Book.

II. That if any Preacher in any separate Congregation should, by writing or advised speaking, deny any of the fundamental Articles of the Christian Religion, and should be thereof lawfully convicted by the Oaths of credible Witnesses, he should from thenceforth be depriv'd of the Benefit of the Exemption allow'd by an Act pass'd in the first Year of King William for exempting the Dissenters from the Church of England from the Penalties of certain Laws, until he should make the aforesaid Profession of his Faith.

III. That the Archbishops of Canterbury and York in their respective Provinces, and every Bishop in his respective Diocese, upon Information upon Oath, be authoriz'd and requir'd to summon any Person in holy Orders to appear before him, and publickly to subscribe the Declaration of his Faith in the Words before-mention'd: And that if any Person should willfully neglect or refuse so to do, such Archbishop or Bishop should certify such Default or Refusal into the Courts of Chancery, or King's Bench; and such Person, upon such Certificate fil'd in either of the said Courts, should from thenceforth be incapable to hold or take any Ecclesiastical Benefice, until he should make the aforesaid Profession of his Faith.

IV. And the Justices of the Peace at their General Quarter-Sessions are authoriz'd and requir'd, upon Information upon Oath, to summon any Preacher in any separate Congregation, or any Person dissenting from the Church of England, call'd a Quaker, to appear before them, and to subscribe the Declaration of his Belief; and such Persons who should refuse or neglect the same, should for every such Offence, being thereof lawfully convicted, be depriv'd of the Benefit of the Exemption allow'd by the said Act of the first of King William, until he have made the Profession of his Belief.

‘ lief in the Words before-mention’d ; but the Quakers
 to profess their Belief in the same Words as they are
 requir’d to do by the Toleration-Act. No Author,
 Printer, or Publisher should be prosecuted, unless the
 Prosecution be commenc’d within No Person to
 be prosecuted for any Offence against this Act by ad-
 vided speaking, unless the Words be taken down in Wri-
 ting within Days after the speaking thereof, and
 the Prosecution commenc’d within Months.

After the first Reading of this Bill, the second Read-
 ing was put off till the 2d of May, when all the Lords
 in and about London were order’d to be summon’d to at-
 tend the Service of the House.

Accordingly on the 2d of May the said Bill was read
 the second Time, and his Grace the Lord Archbishop of
 Canterbury mov’d, that it be committed to a Committee
 of the whole House. Hereupon the Lord Onslow said,
 ‘ That he was as much against Blasphemy, and for pro-
 moting Religion, as it is profess’d in the Church of
 England, as any Body ; but that he could not be for
 any Law that was for Persecution, of which Nature
 he took this Bill to be, and therefore he mov’d that
 it might be thrown out.’ His Lordship was seconded
 by his Grace the Duke of Wharton, who among other
 Things, said, ‘ That he was not insensible of the com-
 mon Talk and Opinion of the Town concerning him ;
 and therefore he was glad of this Opportunity to juili-
 fy himself, by declaring, That he was far from being
 a Patron of Blasphemers, or any Enemy to Religion :
 But that, on the other Hand, he could not be for this
 Bill, because he conceiv’d it to be repugnant to the ho-
 ly Scripture,’ and thereupon, pulling an old Family
 Bible out of his Pocket, his Grace quoted and read se-
 veral Passages of the Epistles of St. Peter and St. Paul ;
 concluding, that the Bill might be thrown out. His
 Grace was back’d by the Duke of Ar——le, and the
 Earls of S——d and I——y, the Lord Viscount
 T——d, the Earl C——r, and the Earl of P——gh.
 This last noble Peer said, among other Things, ‘ That
 tho’ he was for a Parliamentary King, yet he did not
 desire to have a Parliamentary God, or a Parliamenta-
 ry Religion ; and if the House were for such a one,
 he would go to Rome and endeavour to be chosen a Car-
 dinal ; for he had rather sit in the Conclave, than with
 their Lordships upon those Terms.’ The Lord Bishop
 of Peterborough spoke also on the same Side, and said,
 ‘ That

‘ That neither himself, nor, he hoped, any of that Bench, would be Executioners of such a Law, which seem’d to tend to the setting up of an Inquisition.

On the other Hand, the Earl of Nottingham, the Lord Bathurst, the Lords Bishops of London, Winchester, Litchfield and Coventry, and some others, spoke for the Bill, as did likewise the Lord Trevor. One of these Peers having said, ‘ He verily believ’d, that the present Calamity occasion’d by the South Sea project, was ‘ a Judgment of God on the Blasphemy and Profaneness ‘ the Nation was guilty of,’ the Lord O——w reply’d, ‘ That noble Peer must then have been a great Sinner ; ‘ for ’twas said, he had lost considerably by the South Sea.

After some other Speeches, the Question being put, that the farther Consideration of the said Bill be put off to that Day three weeks, it was carry’d it the Affirmative, by 60 Voices against 31.

May 1. The Commons receiv’d and read the first Time, a Bill for the further preventing his Majesty’s Subjects from trading to the East Indies under foreign Commissions, and for encouraging and farther securing the lawful Trade thereto. Then a Person from the Secretary’s Office presented to the House, several Papers relating to the Payment of the Arrears due to the Regiments of Wood, Douglass, and Hamilton, from the States General, which were referr’d to a Committee. Then the Order of the Day for taking into Consideration those Parts of the Reports from the Committee of Secrecy, which relate to James Craggs, Esq; deceas’d, late Post-master-General, being read, Mr. Robert Surman was call’d in and examin’d ; and being withdrawn, a Letter from the said Mr. Surman to Robert Knight, Esq; dated the 18th of January, 1719, was read. Then Mr. Thomas Horne was call’d in and examin’d ; and a Bill drawn by Mr. Horne upon the said Mr. Craggs for 795 l. payable to Mr. Robert Knight the 6th of February, 1719, was read. Mr. Jacob Saeobridge was also call’d in and examin’d ; and a promissory Note written by Mr. Robert Knight and which had been sign’d by the said Mr. Saeobridge, but was cancell’d, (for transferring to Mr. Robert Surman, or Bearer, at demand, 30000 l. South Sea Stock, Value receiv’d) dated the 6th of February, 1719, was read. After which it was resolv’d,

1st, That it appears to the House, that James Craggs, Esq; late Postmaster-General, did, in February, 1719, during

during the Time that the proposals of the *South Sea Company* were depending in Parliament, with a corrupt Intention, apply to, and sollicite *Robert Knight*, late Cashier of the said Company, for a large Quantity of *South Sea Stock* to be held by the said Company for his own Use and Benefit.

2dly, That it appears to this House, that on or about the 27th of *February*, 1719, a Sum of 30000*l.* Capital Stock of the *South Sea Company*, which had been taken in, and paid out of the Cash of the said Company, was, upon the Sollicitation of the said *James Craggs*, held by the said Company for the Use and Benefit of the said *James Craggs*; which said 30000*l.* Stock was afterwards, on the 28th of *March*, 1720, transferr'd to the said *James Craggs*.

3dly, That it appears to this House, that on the 4th of *March*, 1719, a farther Sum of 10000*l.* Capital Stock of the *South Sea Company*, was taken in and paid for out of the Cash of the said Company by the said *Robert Knight*, for the Use and Benefit of the said *James Craggs*.

4thly, That it appears to this House, that the said *James Craggs* was a notorious Accomplice and Confederate with the said *Robert Knight*, and some of the late Directors of the *South Sea Company*, in carrying on their corrupt and scandalous Practices, and did, by his wicked Influence, and for his own exorbitant Gain, promote and encourage the pernicious Execution of the late *South Sea Scheme*.

5thly, That all the Estate real and personal, of which the said *James Craggs* was seiz'd or possess'd from and after the 1st Day of *December*, 1719, (over and above what he stood seiz'd or possess'd of on the said 1st Day of *December*) be apply'd for and towards the Relief of the unhappy Sufferers in the *South Sea Company*, and for deterring all Persons from committing the like wicked Practices for Time to come.

6thly, That it be an Instruction to the Committee of the whole House, to whom the Bills for the Relief of the unhappy Sufferers in the *South Sea Company*, and for restraining *John Aislable*, Esq; from going out of this Kingdom for the Space of one Year, &c. are committed, that they do receive a Clause or Clauses pursuant to the said Resolutions. After this, the farther Consideration of the Report from the Committee of Secrecy, was put off to that Day sev'nnight, and the Call of the House adjourn'd to Thursday the 4th of *May*.

May 2. Eight Petitions (*viz.* of the County of *Pembroke*, Borough of *Tamworth*, County of *Leicester*, City and County of *Litchfield*, Borough of *Aylesbury*, City of *Oxon*, Borough of *Reading*, and Town of *Cambridge*) for Justice to an injur'd Nation, were read, and order'd to lie on the Table. Then the Commons, in a Committee of the whole House, took into Consideration the publick Credit of this Kingdom; and after reading the Proceedings and Resolutions of the general Court of the *South Sea Company* held the 23d of *December*, 1720, as also the Resolutions of the general Court of the said Company held the 9th and 18th Days of *March*, 1720, relating to the four Money-Subscriptions, Mr. *Sloper* open'd the Debate, and took Notice, that one of the principal Causes of the Ruin of publick Credit was the fraudulent Dealing of the *South Sea Directors*, with the Proprietors of the Redeemables, and other publick Debts, and with the Money-Subscribers. He was seconded by the Master of the Rolls, and back'd by Mr. *Hutcheson* and the Chancellor of the Dutchy, who all concluded, that some Relief ought to be given to the said Subscribers. Mr. *Milner* was of the same Opinion, and thereupon mov'd, that the Seven Millions due from the *South Sea Company* to the Government be remitted. This was strenuously oppos'd by Mr. *Smith*, who shew'd how absurd it was, to pretend to retrieve publick Credit, by remitting, that is, by taking from the Publick so great a Sum, to give it to private Persons: He own'd, that they who had suffer'd by the Fraud and Mismanagement of the late *South Sea Directors*, were worthy Objects of Compassion; but that they ought to be reliev'd out of the Estates of those who had occasion'd their Losses, and not out of the publick Money. This was answer'd by Mr. *Horatio Walpole*; who was for Mr. *Milner's* Motion; as were also the Lord *Tyrconnel*, Mr. *Pulteney*, Mr. *Robert Walpole*, Colonel *Bladen*, and some others; and tho' they were oppos'd by Mr. *Shippen*, Serjeant *Pengelly*, and a few more, yet the Question being put, about a quarter past Eight in the Evening, upon Mr. *Milner's* Motion, it was carry'd in the Affirmative by 221 Voices against 194.

The most remarkable Passage in this Day's Debate, was Mr. *Sh——n's* naming a great Lady, who had a considerable Quantity of *South Sea Stock* given her; and afterwards telling a Story of *Alice Pearce*, a celebrated Mistress of King *Edward III.* who made a breach between the King and the Black Prince, was twice remov'd

mov'd from Court, by the Interposition and Solicitation of the then Speaker of the House of Commons. This Story being look'd upon as implying an odious Parallel, Colonel B——n animadverted upon it with some Warmth.

May 3. After the Reading of the Petitions of the City of Lincoln, Borough of *Shipping Wycombe*, and Borough of *Abingdon*, for Justice, Mr. *Farrer* reported to the House the Resolution of the Day before, in a grand Committee about publick Credit, which occasion'd a fresh Debate from Two till half an Hour past Six in the Evening, when the Court Party finding that their Opposers had the Majority, consented, without dividing, that some Amendments be made to the said Resolution, which was agreed to as follows, viz.

That for the re-establishing of publick Credit, Relief be given to the *South Sea Company*, with regard to the Payment of the 4,156,306 l. 4 s. 11 d. and the four and half Year's Purchase; and one Year's Purchase upon several Annuities, and other national Debts, the said Company giving such Consideration to the Publick, and such farther Relief to the several Proprietors and Persons concern'd in Interest with the said Company, as this House shall think proper.

May 4. After the Reading of the Petition of *Kingslon upon Hull* for Justice, the House being inform'd, that Mr. *Samuel Stroud*, Mr. *Edward Owen*, and Mr. *Joseph Sharw*, who stood charg'd with many corrupt and evil Practices in the Report from the Committee of Secrecy, (of the 21st Day of *April* last) had been, and were disposing of their Estates and Effects, in order to elude the Justice of this House, the said *Stroud*, *Owen*, and *Sharw*, were order'd into the Custody of the Serjeant at Arms attending the House. Then the Speaker was order'd to issue his Warrant for a new Writ for electing a Knight of the Shire for the County of *Oxford*, in the Room of *James Herbert*, Esq; deceas'd; and the Call of the House having been farther put off to the 8th, the House went into a grand Committee, and made some Progress in the Bill for Relief of the unhappy Sufferers in the *South Sea Company*.

May 5. The Commons order'd the Commissioners of the Customs, Excise, Salt Duties, and Stamp Duties, to lay before them Accounts of the Produce of those Revenues for five Years, ending at *Christmas*, 1720; and after the Reading of two Petitions, one from the Port of

Hastings in *Essex*, the other of *Hastmeyer* in *Surrey*, against the Plunderers of the Nation, the House went into a grand Committee, to consider the State of the publick Credit. Among the rest, Major-General *Wade* propos'd a new Scheme to relieve both the Annuitants, and other Proprietors of publick Debts, and the Money-Subscribers to the *South Sea Company*, which was, in Substance, That the Eleven Millions, or so much as the said Company had got by the Subscriptions of all Sorts, should be equally divided among the several Subscribers, or new Proprietors of *South Sea Stock*, according to their several Interests. 2. That as the old Proprietors of *South Sea Stock* were to have no Share in the said Profit, neither should they pay any Thing towards any Part of the Seven Millions due from the Company to the Government. 3. And that the Forfeitures of the Directors, Brokers, and others, should go towards the paying off the Company's Bonds, and other Debts. This Scheme, which, indeed, was the most equitable, and most plausible of any yet propos'd, seem'd to be generally relish'd; but however, the Committee came to no Resolution about it. On the other Hand, Mr. Chancellor of the Dutchy mov'd, that the House would settle and determine in what Manner the Sufferers by the *South Sea Scheme* should be reliev'd, and not to leave it to the Directors; and that the House likewise determine all Bargains and Contracts to prevent Law-Suits: But nothing was done in this neither that Day; and the farther Consideration of the State of the publick Credit was put off till the 9th.

May 6. The Commons order'd, that the Reverend Dr. *Haley* be desir'd to preach before the House the 29th of this Month, being the Anniversary Thanksgiving for the Restoration of the Royal Family; and after the Reading of a Petition of the County of *Durham*, for Justice to an injur'd Nation, a Bill for the farther preventing his Majesty's Subjects from trading to the East Indies under foreign Commissions, &c. was read the second Time, and committed to a Committee of the Whole House. Then Mr. Controller, by the King's Command, laid before the House Copies of several Letters and Papers relating to Mr. *Knight*, which were read; particularly a Letter from Mr. *Leathes*, the British Resident at *Brussels*, containing an Account of the Excuses and Pretences made Use of to elude his Instances for the delivering up of the the said Knight; Those Excuses were thought so frivolous,

ious, that a Motion was made for prohibiting the Importation of all Commodities of the Growth and Manufacture of the *Austrian Netherlands*, particularly Lace and Lawn, 'till such Time as Mr. Knight had been deliver'd up and sent over: But it was thought more proper, that a Committee be appointed to consider of the State of the Trade between this Kingdom and the *Austrian Netherlands*, and to report the same, as it should appear to them, to the House; which Committee was appointed accordingly. The same Day a Motion was made, that it might be an Instruction to the grand Committee on the Bill for the Relief of the unhappy Sufferers, &c. that they should receive a Clause, that the paternal Estate of Mr. *Aislaby* might not be liable to the same Forfeitures with the other Part of his Estate; but tho' this Motion was strongly supported by three Members, yet it was rejected with general Indignation.

May 8. Sir *Joseph Jekyll*, Master of the Rolls, acquainted the House, That he was directed by the Committee of Secrecy to acquaint the House, of an Application made to a Member of the said Committee, relating to a Matter depending before this House, and thereupon named the Hon. General *Rosse* as the Gentleman to whom such Application was made; whereupon General *Rosse* acquainted the House, That that Morning, while he was at the said Committee, he receiv'd a Note, that a Gentleman was at the Door to speak with him, and he went out, and found there *Thomas Vernon*, Esq; (a Member of this House) who desir'd him to go into a little Room near, whither he went; and Mr. *Vernon* acquainted him, that he had something to say to him, which he desir'd might go no farther; whereupon General *Rosse* told him, he hoped he had nothing to say to him which might be improper for him to hear; after which, Mr. *Vernon* told him, there was a Disposition in the House to be favourable to Mr. *Aislaby*, in the Bill upon which the House was to be in a Committee that Day, and that it was in his Power to do him Service, and for the same, Mr. *Aislaby* would make him any Acknowledgment, and in any Manner he should think fit; upon which Mr. *Rosse* (from what he first said) concluding it was upon some corrupt Matter, left him in a Passion, and thought it his Duty to acquaint the Committee of Secrecy therewith, and the said Committee thought it was proper to have the Matter laid before the House. To this Matter Mr. *Vernon* was heard in his Place, and own'd the said

Words

Words and Circumstances; withal declaring, that he did not mention or intend any thing of Money, or any other corrupt Matter, and begg'd Pardon of the Gentleman and of the House, if he had committed any Offence, he saying the Words without any corrupt Intention, and only on Account of Friendship, (being nearly related to Mr. Aislaby) and then Mr. Vernon withdrew. Hereupon it was resolv'd, That it appears to this House, that *Thomas Vernon*, Esq; (a Member of this House) hath made a corrupt Application to *General Rosse*, (a Member of this House, and one of the Committee of Secrecy) in Relation to a Matter depending before this House. 2dly, That the said *Thomas Vernon*, Esq; be (for his said Offence) expell'd this House. It was also order'd, That the Thanks of this House be given to *General Rosse*, for the Justice he had done to this House, and to his Country, in laying the Application made to him by *Thomas Vernon*, Esq; before this House. And Mr. Speaker gave him the Thanks of the House accordingly. After this, the Commons, in a grand Committee, made some Progress in the *Bill for Relief of the unhappy Sufferers in the South Sea Company*, &c. and added Mr. Aislaby's Name and Estate.

May 9. Four Petitions, viz. of the City of *Hereford*, Borough of *Southwark*, Borough of *Aldeburgh* in *Suffolk*, and Borough of *Denbigh*, praying for Justice to an injur'd Nation, being read, a Person from the Secretary's Office presented to the House, a Copy of a Warrant for a Commission to *Robert Gordon of Haughts*, as also a Copy of the Commission; but at the same time, Mr. Controller acquainted the House, by his Majesty's Command, that the said Commission was revok'd. Then, in a grand Committee on the publick Credit, it was resolv'd to give Relief to the Subscribers of the Redeemables, and of the Second, Third, and Fourth Money-Subscriptions, by giving them an addition of 33*l.* 6*s.* 8*d.* on Stock upon every 100*l.* *South Sea* Stock.

May 10. After the Reading of the Petitions of *Appulby* in *Westmoreland*, and of the County of *Surrey*, for Justice, a Motion was made, and the Question put, that the Warrant for a Commission to *Robert Gordon*, and the said Commission, be taken into Consideration the Monday next following: But it being represented, that his Majesty had graciously been pleas'd to revoke the said Commission, the Question was carry'd in the Negative; and no farther Notice was taken of that Affair. Then,

in a grand Committee, the Commons made some farther Progress in the *Bill for the Relief of the unhappy Sufferers*, &c. and added to it the Names of seven Persons to be Commissioners for disposing of the Forfeitures intended by this Bill, viz. Sir John Eyles, Sub-Governor, Mr. Rudge, Deputy-Governour, Sir Thomas Crosse, Bart. Mr. Lade, Mr. Hopkins, Mr. Roberts, Mr. Halfey, Mr. Hudson, and Mr. Laut, Directors of the South Sea Company.

May 11. After the Reading of a Petition of the Town and County of *Southampton*, and of another of the Borough of *Stamford*, for Justice; a Petition of several of the free Burgesses of the Borough of *Borlston* in the County of *Devon*, was presented to the House and read, complaining of an undue Election and Return for the said Borough; upon which, after some Debate, it was order'd, that the Matter of the said Petition be heard at the Bar of the House on the 6th of June.

It is to be observ'd, That *St. John Broderick*, Esq; Son of the Lord Middleton, Lord Chancellor of Ireland, standing for Parliament Man for *Borlston*, in the Room of Mr. Carteret, lately made one of the Post-masters General, Commodore *Cavendish* was set up against him, and was favour'd by some Men in Power, insomuch, that tho' Mr. Broderick poll'd most of the old legal Voters, yet the Portreeve, who was Mr. Elliot, one of the Commissioners of the Excise, (and who marry'd one of the late *James Croggs's* Daughters) admitted to poll several Persons who had no Right at all, and by that Means got a Majority for, and return'd *Philip Cavendish*, Esq; The Petition above-mention'd having set forth the whole Matter, Major-General *Rosse*, and Mr. *Sloper*, represent'd, That if the Commissioners of the Excise were suffer'd to make Parliament Men, they had as good let them sit in the House. That it was Matter of Wonder, that when by an Act of Parliament, the meanest Officer in the Excise is not suffer'd to meddle in Elections, one of the Commissioners should dare to do it in so notorious a Manner. Hereupon it was mov'd to address his Majesty to remove Mr. Elliot, but it was thought proper to defer that Motion till after the hearing the Merits of the said Election. That Affair being over, the Commons, in a grand Committee, made some Progress in the *Sufferers Bill*.

May 12. Mr. Speaker was order'd to issue out his Warrant for a new Writ, for electing a Burgess for *Whitchurch*

in the County of *Southampton*, in the Room of *Thomas Vernon*, Esq; expell'd this House. Then the Commons, in a grand Committee, consider'd farther of the State of the publick Credit; and Mr. *Yonge* open'd the Debate, and mov'd, that two of the Seven Millions due from the *South Sea Company* to the Government, might be apply'd towards reducing the publick Debt, and sinking some of the most heavy Duties; and that the other Five Millions be remitted, towards the Relief of the Sufferers by the *South Sea Scheme*. Mr. *Pulteney* spoke on the same Side, as did also the Master of the Rolls, and some others. But Mr. *Robert Walpole* warmly insisted for remitting the whole seven Millions, and was seconded by the Lord *Barrington*, Mr. *Grey Nevil*, and Mr. *Tufnel*. On the other Hand, Mr. *Smith* was of Opinion, that no Part of the seven Millions ought to be remitted, but the whole apply'd towards sinking the Publick Debts. And the Debate having held out till near Seven o'Clock in the Evening, the Question was put, Whether the whole seven Millions should be remitted, and carry'd in the Negative by a Majority of 68 Voices, viz. 206 against 138. After this it was agreed, that five Millions only should be remitted.

May 13, After the Reading of a Petition of the Borough of *Sudbury* in *Suffolk*, for Justice, the Commons, in a grand Committee, made some Progress in the Bill for the Relief of the unhappy Sufferers, &c. The same Day, a Bill to subject the Estates real and personal of Sir *George Caswall*, Kt. *Jacob Sawbridge* and *Elias Turner*, Esqs. to make good to the *South-Sea Company* the Sum of 250000*l.* was presented to the House and receiv'd; and this Bill was read the 1st Time on the 15th. Then the House was, according to Order, call'd over, and the Names of such Members as made Default to appear were noted down. And the Names of Sir *William Courtenay*, Bart. Sir *William Blacket* Bart. Sir *Harvey Elwes*, Bart. Sir *Edward Williams*, Kt. Sir *Charles Keymis*, Bart. and Sir *Edward Stradlinge*, Bart. being call'd over, and their Excuses not being allow'd of, they were all order'd to be taken into Custody of the Serjeant at Arms attending the House, and it was also order'd, that the House be call'd over again upon that Day Sevensnight.

May 16, After Reading of a Petition from the Borough of *Westbury*, for Justice, the Commons order'd their Speaker to issue out his Warrant for a new Writ, for electing a Burgess for the Town of *Flint*, in the
Room

Room of Sir John Conway deceas'd. Then a Motion being made, and the Question put, that it be an Instruction to the Committee of the whole House, upon the *Bill for the farther preventing his Majesty's Subjects from Trading to the East-Indies under foreign Commissions*; that they have Power to receive a Clause to enable his Majesty to grant his Royal License, empowering Doctor Richard Bentley to import a certain Quantity of Paper, for printing a new Edition of the Greek and Latin Testament; it was carry'd in the Negative; after which, in a grand Committee, some Progress was made both in the said Bill, and in the *Bill for the Relief of the unhappy Sufferers in the South-Sea Company*.

May 17. A Bill to *subsidit the Estates, real and personal, of Sir George Caswall, Jacob Sawbridge, and Elias Turner, Esqs. to make good to the South-Sea Company the Sum of 250,000 l.* was read a second Time, and committed to a Committee of the whole House. After which, in a grand Committee, a farther Progress was made in the Matter of the publick Credit of this Kingdom.

May 18. After reading of two Petitions (one of the Borough of *Golchester*, the other of the Town and Borough of *Pontefract*) for Justice, the Commons took into Consideration the Report from the Committee, to whom the Petition of the Officers of the three Regiments of *Wood, Douglas, and Hamilton*, who serv'd the States General during the late War, was referr'd; and it was order'd, that the said Report be recommitted to the same Committee. It was also order'd, that the grand Committee on the *Bill for the Relief of the unhappy Sufferers, &c.* have Power to receive a Clause for disabling the late Sub-Governour, Deputy-Governour, Directors, Cashier, Deputy-Cashier, and Accomptant of the South Sea Company, and also *John Aislaby, Esq;* to hold or enjoy any Office, or Place of Trust or Profit under his Majesty, or to Sit or Vote in either House of Parliament; After which a farther Progress was made, in a grand Committee, in the said Bill.

May 19. After reading of a Petition of the City and County of *Coventry*, for Justice, the Commons in a grand Committee, went through the *Bill for the farther preventing his Majesty's Subjects from Trading to the East Indies under foreign Commissions*.

May 20. Two other Petitions, (of the Borough of *Richmond* in *Yorkshire*, and of the Town of *Barnstable* in *Devonshire*) for Justice, were read; as was also a Petition

of *Charles Earl of Arran*, second Son of *Thomas Earl of Ossory*, who was eldest Son of *James first Duke of Ormond*, praying, that Leave be given to bring in a *Bill to vest all the forfeited Estate of the Petitioner's Brother*, (the late Duke of Ormond) in the Petitioner and his Trustees to enable them to raise such Sums of Money as shall be thought reasonable for him to pay (for the Purchase thereof) to the Use of the Publick; and that the Remainder may be preserv'd to the Petitioner in such Manner as the House should think fit, subject to all the unsatisfy'd Debts and Incumbrances of the Petitioner's Grandfather and Brother; and that he might be enabled to raise such Monies, by Sale or Mortgage of some Part of the forfeited Estate, as should be paid for such Debts and Purchase Money. And Mr. Controller having hereupon acquainted the House, that the Contents of the of the said Petition having been laid before his Majesty, his Majesty had been graciously pleas'd to command him to acquaint this House, that his Majesty has no Objection to the bringing in such a Bill, it was order'd, that Leave be given to bring in a Bill according to the Prayer of the said Petition. After this, in a grand Committee, a farther Progress was made in the Sufferers Bill.

May 22. A Petition of Captain *John Perry*, relating to his stopping *Dagenham Breach*, was read, and referr'd to the Consideration of a Committee; after which, the Bill in Favour of the Earl of *Arran* was presented, receiv'd, and read the first Time. Then Mr. *Clayton*, Chairman of the Committee of Secrecy, during the Indisposition of Mr. *Borderick*, made a farther Report of the Proceedings of the said Committee since their former Report; which having been twice read, was referr'd to the grand Committee of the Publick Credit. After this, Mr. *Clayton* acquainted the House, that the Committee were preparing a Draught of a Report, relating to several Members of both Houses, mention'd in the Account of Stock sold, laid before this House, and relating to all other Members of this House, mention'd in any Examination taken by the said Committee, and desir'd the House to appoint a Day for receiving such Report: Whereupon it was order'd, that the said Report be receiv'd upon that Day Fortnight: To which Day the Call of the House was adjourn'd, and order'd, that Mr. Speaker do write his circular Letters, requiring the Attendance of the Members of this House upon that Day, viz. the 5th of June next. Then the House took into farther

farther Consideration the Report from the Committee of Secrecy of the 21st of *April* last, particularly in Relation to *Edward Owen*, *Samuel Stroud*, and *Joseph Shaw*; and then, in a Committee of the whole House, made a farther Progress on the Consideration of the State of the Publick Credit of this Kingdom.

The next Day five Petitions, of the County of *Derby*, Borough of *East-Retford* in *Nottinghamshire*, of the Borough of *Evesham* in *Worcestershire*, Borough of *Newark* upon *Trent*, and Borough of *Newbury* in *Berkshire*, for Justice, being read, two other Petitions against the Duties upon Soap and Candles, were also read, as was also a Petition of the Annuitants, and Proprietors of the Redeemable Debts, setting forth, That they had lent a great Part of their Estates on the Credit of several Acts of Parliament for the publick Service; and that they thought they had sufficient Security; but found themselves betray'd, and given up by the Managers appointed by their Trustees, contrary to the true Intent and Meaning of the Law, and contrary to the Faith of Publick Credit; and begging the Justice of the House, for Relief against the Fraud of the late *South Sea* Directors, as well as the great and notorious Breach of Trust in the Managers. And that, in order to restore the Publick Credit, the Petitioners might have a just and reasonable Satisfaction; and that their Case be duly consider'd and distinguish'd from that of the Money-Subscribers, who had been excus'd nine Parts in ten in the third Subscription, and four Parts in five in the Fourth; and humbly hoping, that such Relief might be granted them, as might be equal and proportionable to their different Claims and Titles. All which Petitions were order'd to lie on the Table. After this it was order'd,

1st, That a Message be sent to the Lords, to put them in Mind of the Bill for the better establishing of Publick Credit, by preventing for the future the infamous Practice of Stock-Jobbing.

2^{dly}, That Mr. *Hungerford* do go with the said Message to the Lords.

3^{dly}, That the Lord Mayor of the City of *London*, do lay before this House the Names of such Persons as are admitted to act as Brokers within the City of *London*, and the Liberties thereof, together with a Copy of the Security given by the Brokers at the Time of their Admission, and also a Copy of the Oath taken by them.