

of Opinion; it was better for us to get their Money than our Neighbours. That, indeed, if we could hinder the *French* from building Ships at all, it would be prudent to do it; but since they can have them in other Places, our prohibiting them to buy them here, would rather be detrimental than advantageous to us. To these Arguments the Earls *Cowper* and *Coningsby* reply'd; but the twelve Judges, whose Opinions the House desir'd to have, not being all come, by the Neglect of the Person who had Orders to summon them, (and who was reprimanded for it by the Lord Chancellor, at the Bar of the House) the farther Consideration of that Affair was put off till the next Day, when all the Judges were order'd to attend.

Accordingly, on the 12th of *January*, the Judges that were in Town being present, Earl *Cowper* set forth the pernicious Practice which, for some Time, had been carry'd on, of building Ships of Force for the *French*, not only in the River *Thames*, but also at *Bristol*, and was seconded by the Lord *North* and *Grey*. They were answer'd by the Lord *Townshend*, who alledg'd, that there was no Law against it as he knew of. Earl *Cowper* thereupon mov'd, that the Judges might be ask'd their Opinions as to that Point; and being seconded by the Lord *Coningsby*, the Question was put to them accordingly. Thereupon the Lord Chief Justice *Pratt*, in the Name of all the Judges present (except Baron *Montague*, who desir'd farther Time to consider of it, before he gave his Opinion) declar'd, That they knew of no Law, whereby the King was empower'd to hinder any of his Subjects from building Ships for any one that would employ them, whether Natives or Foreigners. Hereupon Earl *Cowper* said, that if there was no such Law, it was high Time there should be one, to put a Stop to such a pernicious Practice for the future; and therefore mov'd, that the Judges be order'd to bring in a Bill for that Purpose. This Motion being oppos'd by the Earl of *Sunderland*, Earl *Cowper* reply'd to him in a long and vehement Speech; which occasion'd a warm Skirmish between the Lord *Townshend*, the Earl of *Sunderland*, the Duke of *Argyle*, and the Lord *Carteret*, on the one Side; and the Lord *Bathurst*, Earl *Coningsby*, and the Lord *North* and *Grey*, on the other Side: But at last the Court Party dropt their Opposition to Earl *Cowper*'s Motion, provided this Clause (except licens'd by his Majesty) be added to the Bill to prevent for the future the building of Ships for any foreign State or Potentate; which was order'd to be brought in.

Jan. 12.

Jan. 13. The Lords resum'd the Consideration of the great Debt of the Navy, which occasion'd some Debate. Earl Comber, who open'd the Affair, mov'd, that the Papers laid before the House by the Commissioners of the Navy, relating to the Number of Ships employ'd in the *Baltick* and *Mediterranean*, might be read; which being done accordingly, his Lordship observ'd, 'That one great Cause of the Navy-Debt, was, the not discharging the Seamen belonging to the great Ships when they were laid up, but keeping them in Pay all the Winter, when they were of no Manner of Use.' To this the Lord Torrington answer'd, 'That tho' Seamen in Time of Winter might be said to be of no Use, yet the keeping them in Pay was an Expence absolutely necessary; for if they were discharg'd, the Government would be to seek for them in the Spring, when they had Occasion for them; since Seamen cannot live without Business, and if not employ'd in the Royal Navy, they are forc'd to hire themselves either to Merchants, or into foreign Service.

Then a Motion was made, That the not paying off his Majesty's Ships, when they came Home from their several Voyages, according to the ancient Usage of the Navy, but continuing them in Sea-Pay during the Winter, till they went out again, has been one great Cause of contracting so large a Navy-Debt. And a Question being stated thereupon, after Debate, the previous Question was put, Whether the said Question shall be now put, it was resolv'd in the Negative.

#### *Dissentient.*

I. **B**ecause, we conceive, the main Question ought to have been put, since the Practice complain'd of in it, having been from the Year 1690 very frequently represented against to the Admiralty and Treasury, by the Commissioners of the Navy, (the proper Officers to give Advice in such Matters) and, who then were Men of great Experience, Ability, and Probity; for being contrary to the ancient Usage of the Navy, giving great Disgust to the Seamen, and causing an unnecessary Expence of the publick Money, we thought it highly reasonable to endeavour, that a Stop should be put to this Method, which was attended with so many fatal Consequences; and we cannot but think, the putting and voting the main Question in the Affirmative, would have greatly conduc'd to that End.

II. Because

II. Because it did not appear necessary, at a Time when so few Men were either granted, or indeed demanded, for the Service of one Year, that the Seamen should be treated with so much Severity, as not to be paid off according to the ancient Usage of the Navy, but kept in floating Prisons, as the said Commissioners of the Navy very well express it, especially since we find, that during the late Wars, when 40000 Men a Year were granted; this was truly thought, by the said Commissioners of the Navy, a Way rather to provoke the Seamen to desert, than encourage them to come into, or continue in the Service; and to be the principal, if not the only Reason, why 'tis become so difficult to get them again, when wanted.

III. We thought, at this Juncture, when his Majesty had so lately, in a most gracious Speech from the Throne, signify'd his having so happily establish'd Peace throughout Europe, it would be proper (if ever) to use our best Endeavours, that the Seamen might partake of the Benefit of our mild and free Government, and not be liable to greater Hardships than any of their Fellow-Subjects, as we think they will be, if this Practice be suffer'd to continue.

IV. Because such Methods ought to be used, as will most contribute to procure the Affections of the Seamen to the Service, which, we think, the ancient Usage of the Navy will, in this Case, best effect; by which they will have the Satisfaction to spend that Money within the Kingdom, for the Benefit and Support of their Families as formerly, when their Ships were paid off, at their Return Home from their several Voyages; and will, we hope, prevent their absconding from, and deserting the Service, and engage them cheerfully to enter into it, whenever there shall be Occasion; whereas, according to the late Practice, by the Opinion of the said Commissioners of the Navy, the Difficulty of getting them in the Spring, chiefly rises from keeping them all the Winter; and yet the Difficulty of getting them again, is assign'd as the only Reason for keeping them in Pay during the Winter, altho' it amounts to an intolerable Charge upon the Kingdom; it appearing by one of the Papers now upon the Table, that keeping them in pay all the Winter, comes to near five Times as much as raising them again in the Spring.

V. We cannot but think it a very unusual Way of arguing in a House of Parliament, that a Question ought not to be put, because it is generally admitted to be true; tho'

tho' at the same Time, there may be too much Reason to believe, that the Practice complain'd of, will not be alter'd without the Interposition of Parliament.

VI. We cannot conceive, the Treaty with Sweden could make it necessary, as was alledg'd, to keep the Men in pay all the Winter; since it appears, by the Papers upon the Table, that very little or no Time would have been lost, if the old Method of the Navy, of raising them in the Spring, had been follow'd, by which much Money would have been sav'd to the Publick; especially since their so early Arrival there, did neither prevent the landing the Czar's Troops upon Sweden, when, and where they pleas'd, nor, by any Action at Sea, contribute to weaken his naval Strength.

Lastly, We take it to be very clear, that if any Necessity, or sufficient Reason was foreseen, at any Time, for the dispensing with this Rule of the Navy, it ought not to have been done without his Majesty's Consent in Council; it being, as we conceive, a fundamental Maxim in the Government of the Navy, and a most essential Part of his Majesty's Royal Prerogative, that no Rule of Establishment in the Navy, whether written or unwritten and customary, ought to be, or can regularly be abrogated, alter'd, or dispens'd with, but by his Majesty's Consent in Council, especially in so weighty a Point, as spending the publick Treasure so much faster than it need have been, in the Proportion above-mention'd, and therefore we thought it expedient, that the main Question should have been put, and voted in the Affirmative, that this great and useful Prerogative of the Crown might, by censuring what we take to be a Breach thereof, (tho' with the Temper recommended from the Throne) have been the better preserv'd for the future.

W. 'Elbor.  
Comper,  
Trevor,  
Bathurst,

Strafford,  
Aberdeen,  
Compton,  
Uxbridge,

North and Grey,  
Guildford,  
Gower,  
Masham.

Jan. 15. The Lords read the Quakers Bill the second Time, and a Motion being made, and the Question put, that the said Bill be committed, the same was oppos'd by the Lord Bishop of Rochester, who, according to his former Assertion, endeavour'd to prove, that the Quakers were no Christians. His Lordship was seconded and back'd

by



by the Earl of *Strafford*, Lord *North* and *Grey*, Earl *Cunningham*, and his Grace the Archbishop of *York*; but they were answer'd by the Earl of *Sunderland*, the Duke of *Argyle*, the Bishop of *Peterborough*, the Earl of *Illy*, and the Earl of *Macclesfield*; and the Question being put for committing the Bill, was carry'd in the Affirmative by 64 Voices against 14.

*Jan. 17.* Their Lordships were to go into a grand Committee upon the said Bill, but were prevented by an unexpected Petition from some of the *London Clergy*, which was presented by the Lord Archbishop of *York*, and was as follows :

*To the Right Honourable the Lords Spiritual and Temporal in Parliament assembled,*

*The humble Petition of the Clergy in and about London, with all Submission sheweth,*

**T**HAT there is a Bill now depending in your Lordships House, entitl'd, *An Act for granting the People call'd Quakers, such a Form of Affirmation or Declaration, as may remove the Difficulties which many of them lye under.* Which Bill, should it pass into a Law, as it may, in its Consequences, nearly affect the Property of the Subject in general, so it will, in a more especial Manner, endanger the legal Maintenance of the Clergy by Tithes; inasmuch as the People call'd Quakers pretend to deny the Payment of Tithes upon a Principle of Conscience, and therefore, as your Petitioners apprehend, may be under strong Inducements to ease their Consciences in that Respect, by violating them in another, when their simple Affirmation, on behalf of Friends of the same Perswasion, shall pass in all Courts of Judicature for legal Evidence.

However, the Injuries that your Petitioners in their private Affairs may possibly suffer, are, as they ought to be, of small Account with them, in Comparison of the Mischiefs which may redound to the Society from the Indulgence intended, as it seems to imply, that Justice may be duly administer'd, and Government supported, without the Intervention of any solemn Appeal to God as a Witness of the Truth of what is said, by all Persons, in all Cases, of great Importance to the common Welfare; whereas your Petitioners are firmly perswaded, that an Oath was instituted by God himself, as the surest Bond of

M

Fidelity

Fidelity among Men, and hath been esteem'd, and found to be so by the Wisdom and Experience of all Nations in all Ages.

But that which chiefly moves your Petitioners to apply to your Lordships, is, their serious Concern, lest the Minds of good Men should be griev'd and wounded, and the Enemies of Christianity triumph, when they shall see such Condescensions made by a Christian Legislature to a Set of Men who renounce the divine Institutions of Christ, particularly that by which the faithful are initiated into his Religion, and denominated Christians; and who cannot on this Account, according to the uniform Judgment, and Practice of the Catholick Church, be deem'd worthy of that sacred Name.

Your Petitioners moreover crave Leave to represent to your Lordships, that upon the best Information they can get, the Instances wherein any Quaker hath refus'd the solemn Affirmation prescrib'd by an Act in the Seventh and Eighth Year of *William III.* have from the passing that Act to this Day been exceeding rare; so that there might be Ground to hope, that the continu'd Use of the said solemn Affirmation, would by Degrees have intirely cured that People of all those unseasonable Prejudices, against an Oath, which the Favour design'd them by this Bill may tend to strengthen and confirm.

And your Petitioners humbly leave it to your Lordships wise Deliberations, whether such an extraordinary Indulgence granted to a People already, as is conceiv'd, too numerous, may not contribute to multiply their Sect, and tempt Persons to profess themselves Quakers, in order to be exempted from the Obligation of Oaths, and to stand upon a Foot of Privilege not allow'd to the best Christians in the Kingdom.

Your Petitioners therefore humbly hope, that these, and other Considerations, which may offer themselves to your Lordships great Wisdom, may induce your Lordships not to give your Consent to the passing of this Bill into a Law.

*And your Petitioners shall ever pray, &c.*

Sign'd by the Persons following.

*Robert Moss*, D. D. Preacher of *Grays-Inn* (Dean of *Ely*)

*John Harris*, Lecturer of *Grays-Inn*.

*Jos. Watson*, D. D. Rector of *St. Stephen Walbrook*.

*Sa. Gatwick*, Rectd. of *Queenhythe*.

*Hen. Foster*, Curate of *Bridewell*.

*Fra. Stanard*, Curate of *St. Brides*.

*Phil. Vaughan*.

*Thomas Cooch*, Curate of *St. Mary Aldermanbury*.

*Luke Milburn*, Curate of *St. Martin Ludgate*.

*Nat. Eaily*, Curate of *St. Michael Queenhythe*.

*J. Betts*, Curate of *Christ-Church*.

*J<sup>o</sup>. Abbott*, Lecturer of *St. Andrew's, Holborn*.

*Wm. Berryman*, Lecturer of *Abhallows Staining*.

*Wm. Thowld*, Rector of *St. Martin Ludgate*.

*Wm. Bedford*, Rector of *St. George Bystolph-lane*.

*R. Rodrick*, Rector of *St. Michael Bassishaw*.

*R. Altham*, D. D. Rector of *St. Helen, near Bishopsgate*.

*J. Pelling*, Rector of *St. Anne's, Westminster*.

*Fr. Astry*, Rector of *St. James Garlickhythe*.

*J. Marshal*, L. L. D. Preacher at *St. George's Chapel*.

*Fy. Brown*, Rector of *St. Margaret Patons*.

*Jof. Richardson*, Rector of *Abhallows, London-wall*.

*J. Hay*, Vicar of ——— *Cateaton-street*.

*T. Wroughton*, Rector of *St. Swithen*.

*J. Grafty*, Rector of *St. James, Dukes-Place*.

*J. Roper*, Rector of *St. Nicholas Coleabby*.

*R. Scar*, of *St. Alban's, Wood-street*.

*Jof. Trapp*, Lecturer of *St. Martin's in the Fields*.

*John Smith*, Rector of *St. Mary Aldermanbury*.

The Archbishop of *York* spoke in behalf of this Petition, and mov'd that it might be receiv'd and read; but the same was oppos'd by the Lord Viscount *Townshend*, upon which there ensu'd a long and warm Debate, that lasted till six in the Evening. The Lord *North and Grey*, the Earl of *Strafford*, the Lord Bishop of *Rocheſter*, the Earl *Ceningsby*, the Lord *Trevor*, the Earl *Gomper*, and the Lord *Bathurst*, supported the Archbishop of *York's* Motion; but the same was warmly oppos'd by the Lord *Townshend*, the Earl of *Scarborough*, the Earl of *Sunderland*, Lord *Carteret*, Duke of *Argyle*, Earl of *May*, and the Lord Bishop of *Peterborough*; and the Question at last being put thereupon, it was carry'd in the Negative by 60 Voices against 24: Of this last Number were the two Archbishops of *Canterbury* and *York*, the Bishop of *Oxford*, the Bishop of *Litchfield* and *Coventry*, and the Bishop of *Rocheſter*; the rest of the Prelates then present being for rejecting the Petition. It is also to be observ'd, that in the Debate the Lord Bishop of *Salum* endeavour'd to mitigate the Matter, and propos'd, that the Petitioners might have Leave to withdraw their Petition; but this was oppos'd by an

Earl in a high Station, who said, that a Committee ought to be appointed to enquire into the Authors and Promoters of it, for he look'd upon it to be no better than a Libel. Another Court Lord took Notice of the irregular Way in which the said Petition was presented to the House; for if it was a Petition of the London Clergy, it ought to be offer'd either by the Bishop of that Diocese, or the Archbishop of Canterbury, whereas it was presented by the Archbishop of York, who was Metropolitan of another Province.

The following Protestation was enter'd against rejecting the Petition.

*Dissentient.*

I. **B**ECAUSE the Right of petitioning in a legal Manner to legal Purposes, does, we apprehend, appertain, by Law and Usage, to the free People of this Realm, and is as essential to the Subject, acting within his due Bounds, as the Liberty of Debate is to the Constitution of Parliament: And this Right, as it extends to petitioning, even for the Repeal of Acts now in force, by which the People think themselves aggrieved; so it justifies them yet more, in representing their humble Sense of any new Law while it is under the Consideration of Parliament; nor are the Clergy, we presume, less privileg'd, in relation to the Exercise of this Right, than any other of his Majesty's Subjects; on the contrary, we believe them as worthy of enjoying it, and as capable of exerting it to wise and good Ends, as any Rank of private Men in the Kingdom.

II. BECAUSE the Petition rejected, is, in our Opinion, proper and inoffensive, as to the Nature and Manner of it, since it partly relates to the peculiar Rights of the Clergy in Point of Tithes, and partly expresses their Fears, (as we conceive not altogether groundless) lest the Sect of Quakers, already too numerous, should, by this new Indulgence, be greatly multiply'd; and lest the Honour of Religion should any ways suffer, and the Foundations of Government be shaken, by what is intended; both which it is the particular Duty of their Function to uphold and secure: We are not therefore apprehensive, that it misbecame their Characters, to interpose on any of these important Points; and the Way in which they have done it, must seem to us free from Exception, till some Passage in their Petition is pitch'd upon as abusive.

ous, and censur'd by the House, which yet has not been done.

III. Because the Petition suggests a particular Grievance, under which the Clergy will suffer by this Act more than any other Order of Men, which, as it had never been observ'd on the Debates of the Bill, so was allow'd to deserve the Consideration of the House; and therefore had there been any other Part of their Petition less unexceptionable, (as we apprehend there is not) yet we do not think that it was reasonable to lay aside the whole on that Account, and reject what was acknowledg'd fit to be consider'd, for the Sake of what was thought improper to be offer'd.

IV. Because the Clergy of *London* are not, in general, so liberally provided for, but that they have reason to be watchful, in relation to any Step that may unwarily be taken, towards diminishing their Maintenance; which we look upon as not duly proportion'd to their Labours in populous Parishes, and to the various Employments given them by Infidels and Hereticks, Papists, and divers Sects of Men, dissenting from the Church establish'd by Law, with which this Metropolis is known to abound. And as their Situation gives them near Opportunities of observing and knowing what may be stirr'd in Parliament to the Prejudice of their Order; so we cannot but think, that it becomes them to make Use of that Advantage in behalf of their distant Brethren, as often as Need shall require, especially at a Time, when the Representatives of the Clergy are not attending in Convocation, and in a Readiness to exert their known Right of applying to the Legislature on all such Occasions.

V. Because the *London* Clergy, from whence the Petition came, are in our Opinion, and have been always esteem'd of great Consideration, with respect to their extensive Influence, and their Ability to be serviceable to the State in important Conjunctions; from this Body of Men, have proceeded many of the most eminent Lights of the Church, and Ornaments of the Bishops Bench, especially since the Revolution; and in the Reign preceding it, their never to be forgotten Labours put a Stop to the Torrent of Popery, then ready to overflow us; on which, and many other Accounts, we cannot but wish, that the Applications at any Time made to this House by the City-Clergy, might be receiv'd with Regard and Tenderness, and a more than ordinary Indulgence allow'd them, at a Time when so great Favours are about to be bestow'd

bestow'd on the profess'd Oppugners of their Function and Maintenance.

VI. Because, by Experience, we find, that the treating in this Manner a Petition from any great and considerable Body of Men, is not the best Way to allay the Jealousies, and extinguish the Uneasiness that occasion'd it, a very contrary Effect having follow'd, according to the best of our Observation, from the rejecting a Petition lately offer'd by the City of London; and the oftner such Instances are repeated, the more we fear the Dissaffection of the People will encrease, who thinking themselves under Hardships, from which they desire to be reliev'd, may look upon it as a new, and yet greater Hardship not to be heard. And tho' the modest and dutiful Demeanour of the Clergy, should no Ways contribute to these Consequences, yet we know not how far this may be the Case, with Respect to their Flocks, to whom their Persons and Characters are dear, and who may therefore be induc'd, by the Reverence they bear to their Pastors, to express as much Concern on their Account, as they would on their own; for which Reason, it was our earnest Desire, that this Second, and in our Opinion, dangerous Experiment, might have not been made.

W. Ebor.  
Compton,  
Foley,  
Fr. Roffen.  
Gower,  
Cowper,  
Eristol,

Weston,  
Bingley,  
Scarsdale,  
Guildford,  
Montjoy,  
North and Grey,  
St. John de Bletsoe.

Aberdeen,  
Strafford,  
Trevor,  
Uxbridge,  
Coningsby,  
Bathurst.

Jan. 18<sup>th</sup>. After a small Debate on the Navy-Debt, the Lords went into a Committee on the Quakers Bill; and after the reading the first Clause, the Lord Archbishop of Canterbury mov'd, that the Quakers Affirmation might not be admitted in Courts of Judicature, but among themselves; and the Lord Archbishop of York mov'd for a Clause, that the Quakers Affirmation should not go in any Suit at Law for Tithes; but after some Debate, the Question being put thereupon, was carry'd in the Negative by 52 Voices against 21; and after some farther Debate, the Bill was gone through. The next Day the Bill was reported, read the third Time, and sent back to the Commons.

*Hodie tertia Vice lecta est Billa, entitled, An Act for granting the People call'd Quakers, such Forms of Affirmation or Declaration, as may remove the Difficulties which many of them lie under.* The Question was put whether this Bill should pass, it was resolv'd in the Affirmative.

*W. Cant.*

*Jo. Oxon.*

*Dissentient.*

I. **B**ECAUSE the Privileges allow'd by this Bill to the Quakers, are without Example, and no Way proportion'd to the Steps formerly taken, towards a gradual Indulgence of them; for whereas they have been hitherto under the real Obligation of an Oath, tho' dispens'd with as to some Formalities, with respect to the Manner of wording, and taking it, they are now altogether releas'd, both from the Form, and Substance of an Oath, and admitted to profess Fidelity, and give Testimony upon their simple Affirmation; nor are these great Privileges indulg'd to them, as the less were, from Time to Time, and by Degrees, but at once are made perpetual.

II. Because we look upon the Quakers, who reject the Two Sacraments of Christ, and are, as far as they do so, unworthy of the Name of Christians, to be on that Account unworthy also of receiving such distinguishing Marks of Favour.

III. Because the Quakers, as they renounce the Institution of Christ, so have not given even the Evidence by Law requir'd of their Belief of his Divinity, it no Ways appearing to us, (nor do we believe it can be made appear) that ever since they were first indulg'd, 1 *W. & M.* one Quaker in an hundred hath subscrib'd the Profession of Christian Belief, directed by that Act; nor could we, upon a Motion made in the House, prevail that they should even now be oblig'd, by such previous Subscription, to entitle themselves to the new and extraordinary Favours design'd them; the Consequences of which, must, in our Opinion, be, that they will encourage themselves yet farther in their Aversion to subscribe that Profession of Christian Belief, which they seem more to decline than ever they did, the taking an Oath; since great Numbers of them have sworn, tho' very few have subscrib'd that Profession; nor are we without Apprehensions, that it may reflect some Dishonour on the Christian Faith, if the Evidence given by such Persons

on



on their bare Word, shall, by Law, be judg'd of equal Credit with the solemn Oath of an acknowledg'd Christian, and sincere Member of the establish'd Communion.

IV. Because we look upon it as highly unreasonable, that in a Kingdom, where the Nobles, the Clergy, and Commons are oblig'd to swear Fealty to the Crown, and even the Sovereign himself, takes an Oath at his Coronation, a particular Set of Men, who refuse to serve the State, either as Civil Officers, or Soldiers, should be entirely releas'd from that Obligation; since 'tis natural to expect, that Persons thus indulg'd, as to the Manner of professing, and the Measure of performing their Allegiance, should, by Degrees, be induc'd totally to withdraw it, till they become as bad Subjects as Christians.

V. Because, tho' such extraordinary Privileges are allow'd to the Sect of Quakers by this Bill, yet there is no Mark or Test prescrib'd by it, or by any other Act, by which it may certainly be known who are Quakers, and, consequently, who are, or are not entitled to those Privileges, from whence this Inconveniency may arise, that many not really Quakers, may yet shelter themselves under the Cover of that Name, on purpose to be releas'd from the Obligation of Oaths, it not being, we conceive, in the Power of the Magistrate, as this Bill stands, to oblige any Person to take an Oath, who at the Time of tendering of it, shall profess himself a Quaker; so that the Concessions now made to that Sect, may prove a great Inlet to Hypocrisy and Falsehood, and will naturally tend towards increasing their Numbers, which we rather wish may be every Day diminish'd.

VI. Because we do not apprehend, that the Quakers, as a Sect, are really under such Scruples in Point of an Oath, that it is necessary to ease them by such an Act, few of them having for five and twenty Years past, since their solemn Affirmation, equivalent to an Oath, was enacted, ever refus'd to comply with it; and should this have now and then happen'd, yet, when the great Body of any Sectaries are not at ease in their Consciences, the Scruples of a few, we think, ought not to be regarded, especially, if continuing the Law now in Force will probably extinguish these Scruples, and the Repeal of it will certainly give new Life and Strength to them.

VII. Because the Security of the Subjects Property, which depends upon Testimony, seems to us to be lessen'd by this Act; the Reverence of an Oath having been  
always

always observ'd to operate farther toward the Discovery of Truth, than any other less solemn Form of Asseveration; nor can the Quakers be excepted in this Case, whose awful Apprehensions of an Oath, appear from their earnest Endeavours to decline it; and therefore where the Payment of Tithes, by them held to be sinful, is concern'd, they will have strong Inducements to disguise the Truth in what they simply affirm, rather than wound their Consciences and Credit, by contributing towards the Support of such an Antichristian Payment: In other Cases of Property, their Interest only will clash with their Veracity, but the double Motive of Interest and Conscience will influence them in respect to the Clergy, whose Calling and Maintenance they equally condemn.

VIII. Because the Inducement mention'd in the Bill towards granting the Quakers these Favours, that they are well affected to the Government, (a Position of which we have some Doubt) might, we apprehend, be improv'd into a Reason for granting like Favours to Deists, Arians, Jews, and even Heathens themselves, all of which may possibly be, as some of them certainly are, Friends to the Government; however, their Friendship, we presume, would be cultivated at too great an Expence, if, for the Sake of it, any Thing should be done by the Legislature, which might weaken the Security of all Governments, an Oath, and by that Means, do more Mischief in the State in one Respect, than it brought Advantage in another; and we, the rather, thus chuse to reason, because an Argument was urg'd in the Debate, and no Ways disallow'd, that if Heathens themselves were equally of Use to the State, as the Quakers are, they ought also equally by Law to be indulg'd; whereas our firm Persuasion is, that as no Man should be persecuted for his Opinion in Religion, so neither should any Man, who is known to avow Principles destructive to Christianity, however useful he may otherwise be to the State, be encourag'd by a Law, made purposely in his Favour, to continue in those Principles.

W. Ebor.  
Fr. Roffen.  
Fr. Gestrrens.  
Scrafford,

Gower,  
Montjoy,  
St. John de Blatfon,  
Salisbury.

Aberdeen,  
Trevor,  
Compton,

Jan. 22. The Lord North and Grey call'd for the Papers, which, pursuant to an Address made before Christmas last, had been laid before the House, giving an Account, how the Ships taken from the Spaniards had been dispos'd of; it appearing thereby, that some of those Ships were still at Port-Mahon, and others had been broke up as useles; the Earl Cowper found fault, that they were not either given to the Captors, or deliver'd again to the King of Spain. His Lordship was seconded and back'd by the Earl of Strafford, Lord North and Grey, Earl Coningsby, and Lord Bishop of Rochester; but they were oppos'd by the Earl of Sunderland, the Earl of Ilay, Duke of Wharton, and the Lord Viscount Townshend, most of whom spoke several Times in this Debate: And the Anti-Courtiers not having been able to agree among themselves about the forming a Question to be put, that Business was drop'd.

Jan. 25. The Lord Bathurst brought again the Debt of the Navy upon the Carpet; and, in a set Speech, took Notice of the several Clauses of its increasing to such an immense Bulk, viz. The great Number of Ships that had been employ'd in the *Baltick* and *Mediterranean*; the great Numbers of Seamen in those Ships; and the keeping those Seamen in Pay during the Winter Season; concluding, that, in his Opinion, those extraordinary Expences were not necessary for the Service of Great Britain. His Lordship was supported by the Lord North and Grey, Earl Cowper, the Earl of Strafford, the Bishop of Rochester, the Lord Trevor, and the Earl of Coningsby; but they were warmly oppos'd by the Earl of Sunderland, Lord Townshend, Duke of Argyle, Earl of Ilay, and the Duke of Newcastle; so that the Question being put, that the Act of Settlement was broke into by sending the Squadron into the *Baltick*, the same was carry'd in the Negative, by 60 Voices against 25. Then the Lord Carteret took Notice, that the last Question, though exploded by a great Majority, was yet a Reflection upon his Majesty's Ministers, if not upon the King himself. He was answer'd by the Earl of Strafford; but the Lord Viscount Townshend reply'd to him, and endeavour'd to prove, 1<sup>st</sup>, That there was sufficient Reason for keeping the Seamen on Board the *Baltick* Squadron all the Year. 2<sup>dly</sup>, That what had been done by the Ministry, with Reference to the Spanish and Northern Wars, had been in Puruance of Address of Parliament.

It is to be observ'd, that the House was now in a Committee, which came to to the following Resolution.

Resolv'd,

Resolv'd, That it is the Opinion of this Committee, That the employing great Numbers of Seamen for several Years last past, more than were provided for by Parliament; and thereby increasing the Debt of the Navy, was occasion'd by Services, which either were pursuant to the previous Advice, or had the subsequent Approbation of one, or both Houses of Parliament; and which were also necessary for the Safety of the Kingdom, and the Tranquillity of Europe. And the Question being put, whether to agree with the Committee, it was resolv'd in the Affirmative.

*Dissentient.*

I. **B**Ecause the Question seems to us, to clash with the Instructions from whence it sprung, which was to consider of the Occasion of the Increase of the Navy-Debt, that arose from employing more Men in the Sea-Service than were provided for by Parliament; whereas from the Resolution, it appears only, that the Services occasion'd the Debt, not what real Occasion or Reason there was for those Services, which yet was the Point, we suppose, chiefly in View, and most worthy of a Parliamentary Inquiry.

II. Because those Services are, in this Resolution, suppos'd to be justify'd by the previous Advice, or subsequent Approbation of one, or both Houses of Parliament; whereas it did not any Ways appear to us, that either House of Parliament had previously advis'd, or subsequently approv'd such Services, tho' the Vouchers, in that Respect, were often, and earnestly requir'd; nor doth it appear to us, how that Assertion is warranted, either by general Expressions in Votes and Addresses, or by a State of the Navy-Debt, communicated every Year to the Parliament; and therefore being still in the Dark, as to the Evidence pointed at, we could wish that the Growth of the Navy-Debt had been explain'd, and justify'd by an Enquiry into the Ends and Reasons for which it was contracted; but this Way not being taken, nor being possible to be taken, till the Treaties, Instructions, and Orders, requisite to this Purpose, are produc'd; we know not in what Sense either those Sea-Services, or that great Navy-Debt they caus'd, may be said to have been approv'd by this, or the other House of Parliament.

III. But had we been duly inform'd of the true Motives upon which those Services were undertaken, and thereby enabled to judge of their Reasonableness, (as we think we in no Degree were) yet still we must be of Opinion, that those Considerations, how important soever, would not have justify'd the exceeding the Number of Men, ask'd of, and allow'd by Parliament, which nothing but absolute and unforeseen Necessity can ever excuse; whereas the Occasions of these extraordinary Expences were foreseen, and the Fleets were sent out for many Years successively, the Parliament sitting, without any previous Demands made of such Supplies, as were proportion'd to the Expence intended: And we are farther of Opinion, that whenever such a Debt is unavoidably incur'd, it should be, especially stated to the Parliament, together with the Necessity that occasion'd it, at their next Assembly, that the Excuse may be then either allow'd or censur'd, and the Exceeding provided for in Time, instead of being suffer'd to run on for many Years together, till an insupportable Debt is contracted, without any other Notice taken of the Reasons of its Growth, than the laying annually a general State of the Debt on the Table of the House of Commons. This we conceive to have been the Case, and if it be, do not err, we think, in affirming, that had the Services appear'd to have been necessary, yet this Manner of increasing the Debt, would nor have been warranted.

IV. Nor can we comprehend how the Safety of the Kingdom depended upon those extraordinary Services, some of which were perform'd in the *Mediterranean*, others in the *Baltick*, against Powers not at Enmity with *Great Britain*; whose Friendship (it seems to us) we should rather have cultivated, and whose Resentments we had, and still have (we fear) Reason to apprehend.

V. We cannot but think it the true Interest of *Great Britain*, to intermeddle, as little as possible, in the Quarrels of *Europe*, and then by our good Offices chiefly, without declaring any Resolution to support our Mediation by Force, or making ourselves either Principals or Parties in Wars, that do not immediately concern us. We look upon our Navy (the natural Security of our Island) as too much hazarded, and some chief Branches of our Trade as highly endanger'd, by the Consequences of those remote Expeditions; nor are we yet satisfy'd, that the

Peace,

Peace, by us mediated, and concluded in the *North*, hath not made the Provision of Naval Stores for our Fleets more precarious than formerly, tho' on that single Article, the Safety of the Kingdom may possibly depend; nor can we judge the present Tranquillity likely to last, since, after all our Expence, the late *Northern* Peace hath reduc'd *Sweden* so low, and left the *Czar* in the Possession of such Provinces, as may render him very formidable; and what Matters may still remain unadjusted in Treaties, whereby the present Tranquillity may soon be disturb'd, we cannot determine, since we have not been indulg'd in our Desire of inspecting those Treaties.

*W. Ebor.*

*Cowper,*

*Weston,*

*Uxbridge,*

*Aylesford,*

*Boyle,*

*Gower,*

*F. Rossen.*

*Trevor,*

*Compton,*

*Sirafford,*

*Guildford,*

*Bathurst,*

*Aberdeen,*

*F. Gessriens.*

*North and Grey,*

*Foley,*

*Bristol,*

*St. John de Blessee,*

*Scarfsdale.*

The Order of the Day (for the House to be in a Committee, to take into farther Consideration the Causes of contracting so large a Navy-Debt, and the Instruction to the said Committee, that they do, in the first Place, consider of the Occasion of that Part of the said Debt, which arises from having employ'd more Men in the Sea-Service in any Year, than were provided for by Parliament for such Year, and from the not paying off all the Seamen at Winter) being call'd for,

A Motion was made, that the authentick Copies of the several Treaties, Instructions, and Orders, relating to the *British* Squadrons being sent into the *Baltick*, for several Years last past, be laid before this House, that the true Occasion of that Part of the Navy-Debt, which the Committee is instructed to consider, in the first Place may better appear, as also, that the Act of Settlement has not been infring'd by those *Northern* Expeditions: And a Question being stated thereupon, and put, it was resolv'd in the negative.

*Dissentient.*

I. **B**Ecause it being now admitted by the House, in the Instruction given to the Committee, that the Navy-Debt was increas'd, by employing more Men in the Sea Service than were provided for by Parliament, and by not

not paying them off in the Winter, the Intention of the House, in that Instruction, must, in our Opinion, manifestly be, to direct the Committee to enquire into the true Occasion and Reasonableness of those Services, by which the Navy-Debt was increas'd; and that End could not, we think, be any Ways attain'd without a Sight of these Treaties, Instructions, and Orders, upon which those Services were founded; since the considering the Occasion of an extraordinary acknowledg'd Expence, must, we conceive, imply an Enquiry into the true Causes for which such an Expence was made; we did therefore think it necessary to desire Copies of the Treaties, Instructions, and Orders relating to the several *Baltick* Expeditions, because, without them, we could not possibly learn the true Reasons of those Expeditions: And it seem'd to us incongruous, that the House should direct an Enquiry, and not contribute to it, by directing also those Materials to be laid before the Committee, which alone could render such an Enquiry effectual.

II. Because the Want of such authentick Papers and Instruments could no Ways, we think, be supply'd by any verbal Representations that might be made by Lords in the Ministry, as Facts occur'd to their Memory in the Debate, this being no sufficient Foundation for any Parliamentary Enquiry, much less for such a one as tends to approve, excuse, or blame the Measures of those in Power, since we cannot think it suitable, either to the Rules of Reason, or the Dignity of Parliament, to proceed to Resolutions relating to the Conduct of Ministers, upon Facts stated by the Ministers themselves.

III. Because Motions for such Papers and Instruments have been frequently made and comply'd with; nor hath any such Motion ever (as far as we can learn) till of late been refus'd. The only Paper included in the general Motion, that we thought any ways doubtful, whether we should obtain, was the Lord *Carteret's* Instructions, which was mov'd for before in this Session without Success; however, we had Hopes of prevailling even for a Sight of that Paper, when it became necessary, as we apprehend, to qualify the Committee of the whole House, to do the Work appointed by the House.

IV. Because the great Increase of the Navy Debt, arose from the frequent sending of strong Squadrons to the *Baltick*, and continuing them there at Seasons of the Year, when the *British* Fleet has seldom been known to be employ'd so far from Home, and in so rugged a Climate, and therefore



therefore we thought it reasonable to expect the fullest Satisfaction in our Enquiries into the Grounds of Expeditions, which had been carry'd on in so unusual, expensive, and hazardous a Manner, which the more extraordinary they were, the more they needed, in every Respect, to be clear'd and justify'd, that the Misapprehensions prevailing without Doors, in relation to those *Northern* Transactions, might be rectify'd, and such Precedents might not remain without the Reasons on which they were founded; whereas we are now apprehensive, that any Resolutions on this Head, may lose much of their Weight and Influence, should they be known to have been fram'd upon Facts barely asserted by Ministers, without Evidence of any Sort, to prove the Truth of those Facts.

V. Because one great View we had in our Motion for these Papers, was to satisfy ourselves, and others, that the Act of Settlement had been no ways infring'd by these *Northern* Expeditions, a Point of the utmost Consequence to the present Establishment, and on which, therefore, all our Care and Circumspection ought to be employ'd; 'tis the Birthright of the Peerage, as to concur in the enacting all Laws, so to enquire into the Observation of them; and the more momentous the Law is, the more it becomes us to consider how far it hath, or hath not been violated; and one great Inducement to our Enquiry into the Observation of this Law, was the Jealousy entertain'd (as we conceive) on that Head by many of his Majesty's good Subjects, observing that the War in the North ended at last in a Peace, which stripp'd Sweden of all its best Provinces, and confirm'd the Acquisition of them to the several *Northern* Powers concern'd, without any particular Advantage, that we hear of, stipulated in behalf of *Great Britain*, besides that of a new Guaranty for the Protestant Succession: A Sight of the said Treaties, Instructions, and Orders, might, perhaps, have dispell'd these Apprehensions, and therefore we thought it our Duty to move for them, and to express our Concern, that such a Motion was over-rul'd; for we cannot think the Argument used for discouraging us from insisting on that Motion, [that it amounted to an Enquiry, whether the King had broke his Coronation Oath] was consistent with the Freedom of Parliament, or agreeable to the known Rules of our Constitution, which free the Crown from all Blame, and suppose those only, who give  
pernicious

pernicious Counfels, anfwerable for the fatal Effects of them.

<i>W. Ebor.</i>	<i>F. Roffen.</i>	<i>F. Cestriens.</i>
<i>Cowper,</i>	<i>Trevor,</i>	<i>North and Grey,</i>
<i>Weston,</i>	<i>Compton,</i>	<i>Uxbridge,</i>
<i>Bingley,</i>	<i>Strafford,</i>	<i>Bristol,</i>
<i>Aylesford,</i>	<i>Guildford,</i>	<i>Boyle,</i>
<i>Bathurst,</i>	<i>Scarsdale,</i>	<i>Gower,</i>
<i>Aberdeen,</i>	<i>Foley,</i>	<i>St. John de Bleisoe.</i>
<i>Montjoy.</i>		

Resolv'd, That it is the Opinion of this Committee, that the Nature of the said Services, necessarily requiring some of his Majesty's Squadrons to be kept out the whole Year, and detaining others abroad till the Months of *November* and *December*; and it being requisite to fit out the said Squadrons in the Months of *February*, or beginning of *March*, in order to their sailing early in the Spring, the paying them off, upon their Return, was inconsistent with the due Performance of those Services, nor could the saving (if any) by such Payment have, in any Degree, made amends for the ill Consequences, which must thereby have arisen from the Disappointment to the Service. And the Question being put, whether to agree with the Committee, it was resolv'd in the Affirmative.

#### *Dissentient.*

I. **B**ECAUSE that Part of the Question, which concerns such of his Majesty's Ships, as are said, but not prov'd, to have been necessarily kept out the whole Year, has not the least Relation, as we conceive, to any Thing that has been yet objected to, which was not paying Ships that came Home before the Winter, and ought, by the ancient Usage of the Navy, to have been paid off; and therefore, we cannot but think, was very improperly made Part of the Question.

II. BECAUSE, it being admitted in the Question, that the ancient Usage of the Navy was, That all Ships, when they return'd Home from their several Voyages, should not be kept in Pay during the Winter; (as was the Case of the late *Baltick* Squadron for some Years last past) and it not having been made appear, as we think, in a Parliamentary Way, that by any Treaty with *Sweden*, it was necessary to send Ships sooner in any Year, than might have been consistent with the said ancient Usage,

we

are of Opinion, that this Resolution will encourage the Practice complain'd of, and will greatly contribute to make Fleets (so much the Honour and Security of this Kingdom) too chargeable to be supported.

III. Because we cannot but be surpriz'd, there should be the least Doubt (as in the Question) whether any Money might have been sav'd by paying off the Men, when it appears by a Paper upon the Table, that several Ships Companies, amounting to many Thousands of Men, have been kept in Pay during the Winter; which Expence, we cannot but think, ought to be avoided, it appearing from other Papers and Representations upon the Table, that by paying the Men off, more than five Parts in six of the whole Charge of those Men, during Winter, had been sav'd to the Publick.

IV. Because a Resolution of this House, that seems to countenance a Practice of this Sort, (at a Time when every Way of getting Money, at the Expence of the Publick, is not found to be less in Peoples Thoughts than formerly) may probably encourage those who shall have Opportunity, in future Times, readily to contribute towards the Increase of Navy-Debts, tho' they are attended with so many ill Consequences, that his Majesty in a most gracious Speech from the Throne, has very lately been pleas'd to say, they do not only affect all Publick Credit, but greatly increase the Charge and Expence of the current Service, and are, of all others, the most heavy and burthenfome.

*W. Ebor.*

*Cowper,*

*Trevor,*

*Bathurst,*

*Scarsdale,*

*Aylesford,*

*Guilford,*

*Fr. Cestriens.*

*Uxbridge,*

*Strassford,*

*Bristol,*

*Weston,*

*Gower,*

*Aberdeen.*

*Fr. Rossen.*

*Boyle,*

*Foley,*

*North and Grey,*

*St. John de Blesfœ,*

*Compton.*

Let's now resume the Proceedings of the Commons. On the 15th of January Mr. Hutchefon mov'd, That some Clauses in the Act of the 7th Year of his Majesty's Reign, relating to the performing Quarentine [See *Historical Register*, N<sup>o</sup> XXV. Page 30.] might be read, which being done accordingly, he represented, That these Clauses had occasion'd great Uneasiness among all Sorts of Persons throughout the whole Kingdom; and as, on the other Hand, the Powers thereby given, were such as could not possibly

possibly be put in Execution; he therefore mov'd, that a Bill be brought in to repeal so much of the said Act, pass'd in the 7th Year of his Majesty's Reign, as gives Power to remove to a Ship, Lazaret, or Pest-House, any Person whatsoever infected with the Plague, or healthy Persons, out of any infected Family, from their Habitations; and also so much of the said Act, as gives Power for the drawing Lines round any City, Town, or Place infected. Mr. *Hutcheson* was seconded by Mr. *Godfrey* and Mr. *Heysham*, two of the City Members; but though they were oppos'd by Mr. *Horatio Wa'pole*, Mr. *Tonge*, and some other Courtiers, who were at first surpriz'd at that unexpected Motion; yet, after two Hours Debate, in which it was observ'd, that Mr. *Robert Wa'pole* was silent, the Question being put upon Mr. *Hutcheson's* Motion, it was carry'd, in the Affirmative, by 115 Votes against 40.

The next Day a Bill for building a new Bridge cross the River of *Thames*, &c. was read the first Time; as was also a Bill for better securing the Freedom of Elections of Members to serve in Parliament; and then the House agreed to the Amendments made to the Bill for Importation of Naval Stores, which was order'd to be engross'd.

The next Day, an engross'd Bill for restoring and rebuilding the Haven and Piers of *Bridport* in the County of *Dorset*, was read the third Time, pass'd, and sent up to the Lords; and the Bill for enlarging the Harbour and Pier of *Scarborough* in the County of *York*, was read the first Time. After which, in a grand Committee, some Progress was made on Ways and Means to raise the Supply.

On Thursday the 18th of January, Mr. *Hutchinson* presented to the Commons a Bill for repealing two Clauses in the *Quarentine Act*, which Bill was receiv'd, and read the first Time. Then the House being inform'd, that the Sheriffs of *London* attended at the Door, they were call'd in, and at the Bar presented to the House a Petition of the Lord Mayor, Aldermen, and Commons of the City of *London*, in Common-Council Assembled, praying, that they might be heard by their Counsel, or otherwise, before the Bill for building a Bridge cross the River of *Thames*, from a Place call'd the *Princes-Walk* in the Parish of *Lambeth* in the County of *Surry*, to the opposite Shore next *Peterborough-House*, in the Parish of *St. Margaret's, Westminster*, in the County of *Middlesex*, do pass; whereupon it was order'd, that the said Petition do lie upon the Table,

Table, until the said Bill be read a second Time; and that the Petitioners be then heard by their Counsel, if they think fit; and that the Petitioners for the Bill, be also heard by their Counsel if they think fit.

*Jan. 19.* A Bill was order'd to be brought in, to enable his Majesty to make such Provisions as his Majesty shall think fit, for the Children of *James Mackdonald*, deceas'd, out of the Estate of the late *Sir Donald Mackdonald*, their Uncle, which was forfeited to his Majesty for High Treason. Then an engross'd Bill for making more effectual an Act made in the 11th and 12th Years of King *William III.* entitled, *An Act for the more effectual employing the Poor, by encouraging the Manufactures of this Kingdom*, was read the third Time, pass'd, and sent up to the Lords. After this, two Petitions of the Inhabitants of *Southwark* and of *London-Bridge*, praying to be heard by their Counsel against the Bill for building a Bridge cross the River *Thames*, were read, and order'd to lie on the Table, and that the Petitioners be heard by their Counsel if they thought fit. This done, the Commons, in a grand Committee, consider'd farther of Ways and Means to raise the Supply, and came to the following Resolutions, viz.

1. That so much Money as at *Lady Day 1722*, shall be, or remain in the *Exchequer*, of the Fund commonly call'd the *Sinking-Fund*, shall be forthwith apply'd towards the discharging and cancelling the *Exchequer-Bills*, amounting to One Million, which, by Virtue of an Act of the 6th Year of his Majesty's Reign, were created to be lent to the *South-Sea Company*, and which were lent accordingly.

2. That after such Application of the Money of the *Sinking-Fund*, which will remain in the *Exchequer* at *Lady-Day 1722*, the *South-Sea Company* shall be discharg'd of the Obligation of circulating any *Exchequer-Bills*, pursuant to the Acts of the 6th and 7th Years of his Majesty's Reign; and that farther Time be given to the *South-Sea Company*, for Repayment of the principal Sum of One Million lent to that Company at any Time, on or before the 7th Day of *June 1723*, upon Condition the said Company pay for the same an Interest after the Rate of 5 l. per Cent. per Annum, from *Lady-Day 1722*, until the actual Repayment of the Principal.

3. That towards raising the Supply granted to his Majesty, a Power be given to the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being, to make forth, or cause to be made forth at the

*Exchequer*, any Number of new *Exchequer-Bills*, to as the principal Sums to be contain'd therein, do not exceed One Million.

4. That the said Million to be repaid by the *South-Sea Company* on or before the said 7th Day of June 1723, shall, upon the Repayment thereof, be apply'd to cancel and discharge the said new *Exchequer-Bills* now to be made forth.

5. That the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being, on his Majesty's Behalf, be enabled to contract with any Person or Persons, Body or Bodies, Politick or Corporate, for circulating as well the new Bills for One Million now to be made forth, as also so many of the *Exchequer-Bills* which were made forth by Virtue of the said two Acts of Parliament, (to the amount of 1,519,512 *l.* 10*s.* or thereabouts) as shall remain after the Application of the Monies of the said *Sinking-Fund*, pursuant to the Resolution above mention'd; such Person or Persons, Body or Bodies, Politick or Corporate, undertaking to circulate the same, at a Rate not exceeding 3 *l.* per Cent. per Annum, for Præmium and Interest, so long as all the Bills so to be circulated shall exceed One Million, and a Rate, not exceeding 1 per Cent. per Annum, from the Time that all the *Exchequer-Bills*, so to be circulated, shall be reduc'd to any Sum not exceeding One Million in the whole, and that such Contract may be made to endure for such Time as shall be agreed by the Contractors.

6. That the Interest payable by the *South-Sea Company* for the said Million, which was lent them, to be computed after the Rate of 5 *l.* per Cent. per Annum, as aforesaid, be made a Fund or Security, so long as such Interest shall be payable for or towards the answering of the said Allowance, not exceeding 3 *l.* per Cent. per Annum to the said Undertakers; and that the Monies hereafter to come in upon the *Sinking-Fund*, shall be a Fund or Security for answering so much as (together with the said Interest payable by the *South-Sea Company*) shall make up the said Allowance, not exceeding the said Rate of 3 *l.* per Cent. per Annum, and for answering the said Allowance, not exceeding the Rate of 1 per Cent. per Annum to such Undertakers.

These Resolutions being the next Day reported, were agreed to by the House, and a Bill was order'd to be brought in thereupon. A Bill was also order'd to be brought

brought in, *For the better regulating the Scavengers, and suppressing all Annoyances within the Tower-Hamlets; and the Bill for repealing Parts of the Quarantine Act*, was read the second Time, and committed to a grand Committee.

On the 22d of January the *Bill for giving farther Encouragement for the Importation of Naval Stores, and for other Purposes therein mention'd*, was read the third Time, pass'd, and sent up to the Lords for their Concurrence; and then, in a grand Committee, the Commons consider'd farther of the Supply, and resolv'd, That a Sum not exceeding  $\text{£}41093\text{l. } 15\text{s. } 1\text{d. } \frac{1}{4}$  be granted to discharge the Principal and Interest upon the Debentures which were granted to the Sufferers at Nevis and St. Christophers: Which Resolution being the next Day reported, was agreed to by the House. The same Day the Call of the House was farther adjourn'd to that Day Fortnight. • Then the House resum'd the farther Consideration of the Petition of the two Constables of the Borough of *Minehead* in *Somersetshire*, and resolv'd, that Mr. Day, the Under-Sheriff of that County, having deliver'd the Sheriff's Precept for electing a Burgess for the said Borough, to *John Vicary*, and *Joseph Sherry*, two of the Burgesses of the said Borough, but not Constables thereof, was guilty of a Breach of Trust, and Contempt of the Authority of this House; and order'd, that the said — Day be, for his said Offence, taken into the Custody of the Serjeant at Arms. Then the *Bill for securing the Freedom of Elections of Members to serve for the Commons in Parliament*, was read the second Time, and committed to a Committee of the whole House.

On the 29th of January, a *Bill for paying off and cancelling One Million of Exchequer Bills, &c.* was read the first Time; after which, the *Bill for repealing some Clauses in the Quarantine Act*, was read the third Time, pass'd, and sent up to the Lords. Then a Petition from the Inhabitants in the Level of *Bermondsey, Rotherhithe, and Deptford*, against the building of a new Bridge cross the River of *Thames*, praying to be heard by their Counsel, was read, and granted; and after Counsel had been heard against, and for the said Bill, and several Witnesses examin'd, as to the Prejudice of the River of *Thames*, if the Bill should pass, the farther Hearing of that Affair was put off 'till the next Day Sev'nnight, and so that Bill was dropt.



On the 31<sup>st</sup> of *January* the Commons order'd their Thanks to be given to *Dr. Marshall*, for the Sermon he preach'd before the House the Day before: After which, a Petition of the *South-Sea Company* was presented to the House, and read, setting forth the great Losses that Company had sustain'd, upon Pretence of Stock held for several Persons, and by the Additions made to the first and second Money-Subscriptions, and the Subtractions from the third and fourth Money-Subscriptions, and praying that the same might be taken into Consideration, and the Company be aided and assisted to detect such notorious and scandalous Practices, and to compel all Persons who had receiv'd any of the Company's Money, on Account of Difference, or that had been concern'd as aforesaid, in the four Money-Subscriptions, to the Prejudice of the Company, to make full Satisfaction and Restitution to the injur'd Proprietors, and to refund the Benefit and Advantage they had made thereby: But this Petition being order'd to lie on the Table, no farther Notice was taken of it.

On the 1<sup>st</sup> of *February*, the Commons order'd a new Writ to be issu'd out, for electing a Burgess for *Chipping Wycombe* in the County of *Bucks*, in the Room of *Sir John Wickefwronge*, Barr. deceas'd: After which, *Sir John Cope*, Barr. a Member of the House, charg'd *Sir Francis Page*, one of the Barons of the Court of *Exchequer*, with endeavouring to corrupt the Borough of *Leambury* in the County of *Oxon*, in order to procure *Sir William Cokington* to be chosen a Representative for the said Borough in the ensuing Election. The Sum of this Charge was, that *Mr. Baron Page* had not only offer'd to the said Corporation to forgive them six or seven hundred Pounds, they ow'd him for their new Charter, but likewise to give them another large Sum in ready Money, which *Sir John Cope* having offer'd to prove by undeniable Evidence, set the whole House into a Flame; and some Members were for censuring the Baron immediately; but *Mr. Robert Walpole* moderated that Heat, representing, 'That it was unreasonable to arraign, condemn, and censure a Man, especially one in so eminent a Station, before they heard what he had to say in his own Vindication; and besides, that it would look like prejudging the Merits of the Election of that Borough; and therefore he was of Opinion, they ought not to take any Notice of this Complaint, until the Election was over, and then, if any Thing of that Nature appear'd, the House might proceed

“proceed to censure as they should think fit.” He was supported by several other Members of the Court-Party, who alledg’d, “That when they should hear what Mr. Baron Page had to say for himself, the Matter might appear quite otherwise; and that the Gentleman who accus’d him, might be either misinform’d, or impos’d upon.” Hereupon the Matter of the said Charge was order’d to be heard at the Bar of the House the 13th of that Month: After which, in a Committee of the whole House, the Commons went upon the *Bill for better securing the Freedom of Elections of Members to serve for the Commons in Parliament*; upon which there were great Debates about several Clauses that were offer’d to be inserted in the Bill: One of them was, that no Officer of the Customs, or Excise, should have any Vote at any Election for Parliament Men, which was strenuously oppos’d by the Court Party, as taking away from the said Officers their Birthright, as *Englishmen* and Freeholders; so that after some Speeches made on both Sides, the Country Party were contented to drop that Clause. Another was propos’d, importing, That no Person who did not pay Scot and Lot, should have a Vote in a Corporation; but this was also oppos’d by the Courtiers, who urg’d, “That it had already been adjudg’d, at Committees of Elections, and agreed to by the House, in several Cases, that such Persons, in some Places, should have no Votes; and that in other Places they should be allow’d to Vote, provided they did not receive Alms from the Parish.” The other Party, in order to give the Bill a more easy Passage, did not think fit to insist upon this second Clause neither; and so the Bill was gone through, and order’d to be reported the 6th.

The next Day the Commons order’d, 1<sup>st</sup>, That the Complaint made the Day before by Sir *John Cope, Bart.* against Mr. Baron Page, be by him put into Writing, and deliver’d to Mr. Baron Page. 2<sup>dly</sup>, That Sir *John Cope, Bart.* and Mr. Baron Page, be heard at the Bar of this House by their Counsel, upon the Matter of the said Charge, if they thought fit. Then Mr. Farrer reported from the Committee of the whole House on Ways and Means for raising the Supply, the Resolutions which they had directed him to report to the House, as follow, viz.

1. That it is the Opinion of this Committee, that for the better encouraging and supporting the Brass Manufactories of this Kingdom, a farther Duty be laid upon Importation

Importation of Metal prepar'd, and Black Latten, and Raw Copper imported, except Raw Copper from *East-India*.

2. That the said farther Duty upon Importation of Metal prepar'd, be such as shall make the present Duty thereon, equal to the Duty on foreign Battery imported.

3. That the said farther Duty upon Importation of Black Latten, be 10s. 7d. per Hundred Weight.

4. That the said farther Duty upon Raw Copper imported, (except from *East-India*) be 7s. per Hundred Weight.

5. That the said farther Duties upon Metal prepar'd, Black Latten, and Raw Copper imported, (except Raw Copper from *East India*) be granted to his Majesty for the Term of three Years, to commence from the 25th Day of March 1722.

6. That the Sum of 56872l. 13s. 3d.  $\frac{1}{4}$  granted for the Service of the Year 1721, exceeding the Service of that Year, be apply'd towards making good the Supply granted to his Majesty this Session of Parliament.

7. That for raising the Sum not exceeding 141093l. 15s. 1d.  $\frac{1}{4}$ , Part of the Supply granted to his Majesty for discharging the Principal and Interest of the Debentures which were granted to the Sufferers at *Nevis* and *St. Christopher's*, an Annuity, after the Rate of 4l. per Cent. per Annum, be charg'd on the Fund commonly call'd the General Fund redeemable by Parliament.

8. That instead of the Duty *ad Valorem*, now payable for Pictures imported, such Pictures be charg'd with certain Duties, according to the following Dimensions, that is to say, for every Picture of four Feet square, or upwards, the Sum of 3l. for every Picture of two Feet square, and under four Feet square, the Sum of 2l. and for every Picture under two Feet square 1l.

9. That towards raising the Supply granted to his Majesty, a farther Duty be laid upon all Apples imported into *Great Britain*,

10. That the said farther Duty upon Apples imported, be after the Rate of 2s. per Bushel.

11. That the said farther Duty upon Apples imported, be granted to his Majesty for the Term of three Years, and from thence to the End of the then next Session of Parliament.

The first five of the said Resolutions being severally read a second Time, were, upon the Question severally put thereupon, disagreed with by the House; but the rest of the said Resolutions being severally read a second Time, were, upon the Question severally put thereupon, agreed unto by the House. And it was order'd, that it be an Instruction to the Committee of the whole House, to whom the *Bill for paying off and cancelling One Million of Exchequer-Bills*, and give Ease to the *South-Sea Company*, in respect of its present Obligation to circulate, or contribute toward circulating, *Exchequer-Bills*, and to give farther Time to that Company for repayment of One Million which was lent to them; and for issuing a farther Sum in new *Exchequer-Bills* towards his Majesty's Supply, to be discharg'd and cancel'd when the said Company shall repay the Million owing by them; and that the *Exchequer-Bills*, which are to continue, may be circulated at easy and moderate Rates, that they have Power to receive Clauses pursuant to the said Resolutions agreed unto by the House.

Feb. 3. In a grand Committee, the Commons went through the *Bill for the Encouragement of the Silk Manufactures of this Kingdom*, and for taking off several Duties on Merchandize exported, &c. as also through the *Bill to enable his Majesty to make Provision for the Children of James Mackdonald, deceas'd*, &c.

On the 5th of February, the Commons gave Power to the grand Committee, appointed to consider of the *Bill for paying off and cancelling One Million of Exchequer-Bills*, &c. to receive several Clauses; and then the said Committee went through the Bill, and made several Amendments thereto; the Report of which was put off to the 15th.

Feb. 6. An engross'd Bill for the better preventing Abuses committed in weighing and packing of Butter in the City of York, was read the third Time, pass'd, and sent up to the Lords: After which, Sir John Eyles presented to the House, a Report of the Trustees in whom the Estates of the late *South-Sea Directors*, and of *John Aislaby, Esq;* and of *James Craggs, Senior, Esq;* deceas'd, are vested; which Report was order'd to lie on the Table. Then the Amendments made to the *Bill for better securing the Freedom of Elections*, &c. were, with some other Amendments, agreed to, and the Bill order'd to be ingross'd. The Call of the House was afterwards put off for a Fortnight.

*Feb. 7.* The ingross'd Bill for better securing the Freedom of Elections, was read the third Time, pass'd, and sent up to the Lords: After which, the Bill for the Encouragement of the Silk Manufactures of this Kingdom, &c. was order'd to be ingross'd.

*Feb. 8.* An ingross'd Bill for the more equal paying, and better collecting certain small Sums, for the Relief of Shipwreck'd Mariners in Portugal, &c. was read the third Time, pass'd, and sent up to the Lords: After which, a Bill was order'd to be brought in, For preventing Frauds in transferring of Shares in the Capital of any Companies establish'd by Act of Parliament. Then Mr. Farrer reported to the House the Amendments made in a grand Committee to the Bill for paying off and cancelling One Million of Exchequer-Bills, &c. which, with Amendments to some of them, were agreed to by the House. Then Sir John Eyles offer'd a Clause to be added to the Bill for enabling the Directors of the South-Sea Company to pay their Debts, by disposing of their Effects. This Motion was seconded by Mr. Pulteney, but was oppos'd by Mr. Robert Walpole, who suggested, ' That the Bill being perfected and ready to be ingross'd, ' it was not proper to add to it any Clause, this especially, which, looking like a Tack, might endanger the ' Loss of this important Bill in the House of Lords; ' adding, however, that if the Gentlemen who were for ' the Clause, would move for a particular Bill to be ' brought in for that Purpose, which should take up but ' one Day or two, he would not oppose it." Hereupon General Roße said, ' That for his Part, he was both against the Clause, and the Bill, for two Reasons, 1<sup>st</sup>, ' Because the Directors of the South-Sea Company had no ' Power from a General Court of the South-Sea Company ' to move for such a Clause to the House, which, in his ' Opinion, they ought to have; and 2<sup>dly</sup>, Because, he ' hoped, the South-Sea Company were able to pay their ' Debts without any such Power." To this Sir John Eyles reply'd, ' That tho' they had no such Order from the General Court, yet since, as he conceiv'd, it was for the ' Benefit of the Company, he mov'd it, because he knew ' there was no Time to apply to a General Court." He was again back'd by Mr. Pulteney; and after the Bill for paying off and cancelling One Million of Exchequer-Bills, &c. had been order'd to be ingross'd, upon a Motion made by Sir Thomas Croße, a Bill was order'd to be brought in, To enable the South-Sea Company to dispose of the Effects in their Hands

*Hands by Way of Lottery, or Subscription, in order to pay the Debts of the said Company.*

Feb. 9. The Commons read the third Time, pass'd, and sent up to the Lords, the ingross'd Bill for the better supplying the City and Liberty of Westminster, and Parts adjacent, with Water; and a Bill to prevent the Mischiefs by forging Powers to transfer Stocks, &c. was read the first Time. After this, upon several Petitions of divers Merchants trading to the West-Indies, and our Northern Colonies, a Bill was order'd to be brought in for the more effectual Suppression of Piracy.

Feb. 10. The ingross'd Bill for the Encouragement of the Silk Manufactures of this Kingdom, &c. was read the third Time, pass'd, and sent up to the Lords; and then Sir Thomas Crosse presented to the House a Bill to enable the South-Sea Company to dispose of the Effects in their Hands by Way of Lottery, or Subscription, in order to pay the Debts of the said Company; which was read the first Time; and the Bill to prevent the Mischiefs by forging Powers to transfer Stocks, &c. was read the second Time, and committed to a grand Committee. After this, the House proceeded to take into Consideration the Report of the Trustees in whom the Estates of the late South-Sea Directors, and of John Aislaby, Esq; and of James Craggs, Sen. Esq; are vested, and the same being read, Sir John Eyles, one of the Trustees, represented, 'That they had apply'd to the Barons of the Exchequer to examine the late Directors upon proper Interrogatories, with Reference to the Truth of the Inventories they had given in of their Estates, and whether there was no Part of them conceal'd or imbezill'd; and that if they did not answer truly to such Questions as shall be put to them, they might be guilty of Felony without Benefit of Clergy, as the late Act directs; but that upon this Application, they were told, that the said Barons had but two Copies of the Duplicates of the Directors Estates, and that, as they were directed by the late Act, they had deliver'd one to the Lord Chancellor, and the other to the Speaker of the House of Commons; so that for want of one of those Duplicates, they could not examine the said Directors any farther.' Hereupon the Act to which Sir John Eyles refer'd, was call'd for, and read, and it being found to be as he had suggested, it was order'd, that the Particulars or Inventories of the Estates and Effects of the late Sub-Governor, Deputy-Governor, Directors, Deputy-Cashier, and Accomptant of the South-Sea Company, deliver'd by the Barons of his

Majesty's Court of *Exchequer*, or some of them, to the Speaker of this House, and by him laid before this House, be deliver'd by the Clerk of this House to the Lord Chief Baron of the said Court of *Exchequer*, who shall give a Receipt for the same; and that Mr. Speaker do signify the Pleasure of this House, that the said Lord Chief Baron, or Barons, or any two or more of them, do examine upon Oath the said late Sub-Governor, Deputy-Governor, Directors, Deputy-Cashier, and Accomptant of the *South Sea Company*, respectively, concerning any Concealment, Omision, or Falsity, in the said respective Particulars, or Inventories, or concerning any Alterations in their respective Estates, since the giving in the said Inventories, upon such Interrogatories as the said Barons shall think meet. After this, it was mov'd, that Mr. *Aislaby*, and the late Mr. *Craggs's* Executors, might likewise be examin'd by the Barons of the *Exchequer*; but the Trustees represented, that as they were not mention'd in the Act, so they could not be taken Notice of now. Then Sir *Thomas Crosse* acquainted the House, ' That there being  
' above a thousand Claims to the late Directors Estates al-  
' ready enter'd, it was impossible for the Trustees to hear  
' and determine them in so short a Time, as the late Act  
' allow'd for that Purpose, viz. till the 1<sup>st</sup> of *August*  
' 1722, and therefore he mov'd, that the Time might be  
' enlarg'd." He was seconded by Sir *John Eyles*, and thereupon a Bill was order'd to be brought in, To prolong the Time for hearing and determining Claims before the said Trustees, &c.

By this Time, the Lords had sent several Messages to the Commons, to acquaint them, that their Lordships had pass'd several Bills, that had been sent up to them from the Commons; of which the King being inform'd, his Majesty, on the 12th of *February*, went to the House of Peers with the usual State and Solemnity, and the Commons being sent for up, and attending, his Majesty gave the Royal Assent to the following publick Bills, viz.

1. An Act for continuing the Duties on Malt, Munn, Cyder, and Perry, to raise Money by Way of a Lottery for the Service of the Year 1722; and for transferring the Deficiencies of a late Malt-Act to the Land-Tax for the said Year; and for giving Time for inserting the Money given with Apprentices in their Indentures; and touching lost Bills, Tickets, or Orders; and for exchanging the Tickets in the *Exchequer* for Certificates; and for



for suppressing Lotteries, denominated Sales, and other private Lotteries; and for enlarging the Time for the Accomptant-General of the Bank of England to return Duplicates of Annuities into the Exchequer.

2. *An Act for taking off the Duty upon all Salt us'd in the Curing of Red-Herrings, and laying a proportionable Duty upon all Red-Herrings consum'd at Home only; and for ascertaining the Customs and Excise payable for the Sugar-Houses in Scotland; and for making an Allowance for Salt lost in any Harbour or River of this Realm; and for the better securing the Duties on Salt deliver'd in Scotland.*

3. *An Act for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.*

4. *An Act to enable his Majesty effectually to prohibit Commerce (for the Space of one Year) with any Country, that is, or shall be, infected with the Plague; and for shortening the Continuance of an Act pass'd in the 7th Year of his Majesty's Reign, entitled, An Act for repealing an Act made in the 9th Year of her late Majesty Queen Anne, entitled, An Act to oblige Ships coming from Places infected, more effectually to perform their Quarantine, and for the better preventing the Plague being brought from foreign Parts into Great Britain or Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark, or Man; and to hinder the spreading of Infection.*

5. *An Act for repealing such Clauses in the Act pass'd in the 7th Year of his Majesty's Reign, (relating to Quarantine and the Plague) as give Power to remove Persons from their Habitations, or to make Lines about Places infected.*

6. *An Act for giving farther Encouragement for the Importation of naval Stores, and for other Purposes therein mention'd.*

7. *An Act for granting the People, call'd Quakers, such Forms of Affirmation or Declaration, as may remove the Difficulties which many of them lie under.*

8. *An Act for more equal paying and better collecting certain small Sums therein mention'd, for Relief of Shipwreck'd Mariners, and distress'd Persons, (his Majesty's Subjects) in the Kingdom of Portugal, and for other pious and charitable Purposes, usually contributed to by the Merchants trading to Portugal.*

9. *An Act for restoring and rebuilding the Haven and Piers of Bridport in the County of Dorset, and for making a Sluice there.*

10. *An Act for amending the Highways leading from Brampton Bridge, near Church Brampton in the County of Northampton, through the Parish of Thorny, to a Bridge call'd*

call'd Welford Bridge, in the Parish of Welford in the said County, and also the great Post-Road from a Place call'd Mortar Pitt Hill, in the Parish of Disford in the said County, through the Towns and Parishes of Brixworth, Lampore, Maidwell, Kelmarsh, and Oxendon Magna, to a Bridge call'd Chain Bridge, leading into Market Harborough in the County of Leicester.

11. *An Act to explain and amend the Act pass'd in the 3d Year of his present Majesty's Reign, for repairing the Highway from several Places therein mention'd, leading towards Highgate Gate-house, and Hampstead in the County of Middlesex.*

12. *An Act for continuing an Act pass'd in the 10th Year of her late Majesty, entitled, An Act for repairing the Highway between a certain Place call'd Kilburn Bridge in the County of Middlesex, and Sparrows Hern in the County of Hertford, and for making the said Act more effectual.*

13. *An Act for laying a Duty of Two Pennies Scots, or One Sixth Part of a Penny Sterling, upon every Scots Pint of Ale or Beer that shall be brew'd for Sale, vend'd, or tapped within the Town of Elgin, and Privileges thereof, for paying the publick Debts of the said Town, and for other the Purposes therein mention'd.*

14. *An Act for making the River Eden navigable, to Bank-End in the County of Cumberland.*

And to Eleven Private Bills.

The Commons being return'd to their House, read the third Time, pass'd, and sent up to the Lords, the *Bill for paying off and cancelling One Million of Exchequer-Bills, &c.*

Let's now attend the Proceedings of the Lords. On the 1st of February, their Lordships, in a grand Committee, resum'd the Consideration of the Navy-Debt; and the Debate was open'd by the Earl of Uxbridge's moving, that some Accounts and Orders, relating to the Victualling when the Fleets were in the Baltick and Mediterranean, might be read. After the reading of some of those Papers, his Lordship resuming his Speech, endeavour'd to shew, 'That one Occasion of the Increase of the Navy-Debt, was the Ships being victuall'd abroad, by the Commanders, and not by the proper Officers of the Victualling-Office, who are Cheques upon one another; whereas the other Way there might be great Abuses, by Commanders charging more to the Government for the Provisions, than they really cost.' The Lord Torrington thinking

thinking himself reflected upon, as he was Commander in Chief in the *Mediterranean*, endeavour'd to justify himself from any Imputation of that Nature, and among other Things alledg'd, 'That Provisions were much dearer there than in *England*; that it was impossible to carry such Quantities from hence, as would serve for any long Time; and therefore they are oblig'd to buy them there at any Rate.' His Lordship was supported by the Lord Viscount *Townshend* and the Earl of *May*; and tho' the Earl *Comper*, the Lord *Bathurst*, the Earl of *Strafford*, and the Earl *Coningsby*, back'd the Earl of *Uxbridge*, yet the Question was put, that the Victualling his Majesty's Ships by any other than the Victuallers appointed for that Service, or their Agents, is contrary to the Course of the Navy, and by taking away the proper Cheques, is one great Cause of contracting so large a Navy Debt; but it was resolv'd in the Negative without dividing; whereupon several Lords enter'd the following Protest.

*Dissentient.*

I. **B**Ecause it being, unquestionably, the ancient Course of the Navy to victual all his Majesty's Ships, above sixth Rates, by the Commissioners of the Victualling, or their Agents, unless in Case of Necessity; and it appearing to us, by a Paper return'd before this House, from the Victualling-Office, that many Ships, and Squadrons of Ships, have been of late Years victualled by the Commanders, very few of which were so victualled by any Order; and amongst those many Instances, a few only were excus'd, because there being no Agents for the Victualling-Office, nor any Stores in the Places where the Ships then were; we think it reasonable to conclude, that all the several Victuallings in the said Paper contain'd, being much the greater Number, which were neither excus'd therein, nor said to be order'd, were so provided without any Order or Excuse whatsoever, and, consequently, were a needless Breach of the said good Course of the Navy; and by taking away the proper Cheque made to save the Publick Money, must, in our Opinion, necessarily have been one of the Occasions of the Increase of the Navy Debt.

II. We cannot but observe, that if the said Excuse had (in the Paper above-mention'd) been apply'd to all the several Instances there, of Victualling in a Manner contrary to the Course of the Navy, yet it had been insufficient; since it is not alledg'd, that Agents for the Victualling,

alling, and Stores might not have been timely had in the Places where the Ships were victualled, if due Notice had been given to the Commissioners of the Victualling, and proper Precautions and Endeavours had been used to that End.

III. We cannot but think, that carrying this Question in the Negative, will undoubtedly encourage this Breach of the Course of the Navy, as it is acknowledg'd to be; and in Consequence, put it into the Power of every Admiral, or Commander in Chief of any Squadron, and every Commander of a particular Ship, not only to furnish such Provisions, both in Quantity and Quality, as they shall think fit; but by letting the Men go on Shore, when in Port, on Pretence of supplying Provisions, leave a Charge on the Publick, for Want of the proper Cheque, tho' to the Detriment of the Sea-Service.

IV. Because by this Leave given to the Commanders on the Head of the Victualling, they have it in their Power (through the Want of the said true and ancient Cheque) to bring a very great Charge upon the Head of Wages, which must undoubtedly, as we apprehend, occasion a great Waste of the Publick Treasure, and consequently an Increase of the Navy-Debt.

V. Because we think, that to suppose the Commander of any Squadron, or Ship, will not, when it is so intirely in his Power, do what shall be for his Interest, is to believe him less inclin'd to his Interest, than the Generality of his Fellow-Subjects on Shore.

VI. Because, we believe, this House will not discourage taking away proper Cheques, till Proof had, (as urg'd in the Debate) of what had been got by Individuals, for want of those Cheques; the Delay and Difficulties attending such an Enquiry, will, probably, hinder any Discouragement being given of such Practices, which are allow'd to be contrary to the standing Instructions to the Commissioners of the Victualling, and to the Commanders of his Majesty's Ships.

<i>W. Ebor.</i>	<i>Etchfield,</i>	<i>North and Grey,</i>
<i>Trevor,</i>	<i>Compton,</i>	<i>Bingley,</i>
<i>Scarsdale,</i>	<i>Bristol,</i>	<i>Boyle,</i>
<i>Aylesford,</i>	<i>Uxbridge,</i>	<i>Bathurst,</i>
<i>Strafford,</i>	<i>Guildford,</i>	<i>St. John de Bletsoe.</i>
<i>Craven,</i>	<i>Cowper,</i>	

The 3<sup>d</sup> of February had been appointed by the Lords to consider of the Building of Ships for Foreigners; but the Lord Chancellor not coming till their Lordships had waited above two Hours, the Earl Comper mov'd, that in Order to go upon the Business of the Day, they should proceed to the Choice of a Speaker, *pro Interim*; and several noble Lords were nam'd, particularly the Dukes of Somerset and Kingston; but these going out of the House to avoid it, the Lord Lechmere was nam'd next, and like to be chosen. While this Matter was debating, the Lord Chancellor came in, and, to excuse himself, said, *He had been attending the Cabinet Council at St. James's, and that they were but just up.* Several Lords would not admit of that Excuse, and suggested, That the House of Peers being the greatest Council in the Kingdom, to which all other Councils ought to give Way, ought not to be made to wait on any Account; and therefore mov'd, that, in order to shew their Resentment, the House should adjourn to the Monday following; but the Question being put thereupon, was carry'd in the Negative, by forty nine Voices against thirty one. Hereupon two and twenty Peers enter'd the following Protest.

*Dissentient.*

I. **B**ECAUSE the House standing adjourn'd to this Day at Eleven a-Clock, and a great Number of Lords being met, and expecting the coming of their Speaker till near three a-Clock, they seem'd to us generally to resent this Usage, and without any Dissent, as we could perceive, proceeded, according to the standing Order of the House, towards chusing a Speaker; but meeting with some Difficulties as to the Persons nominated, the Lord Chancellor came, before any Choice was made, and, as soon as the House was met, the Lord Chancellor alledg'd, as the Reason of his long Absence, that he had been summon'd to attend his Majesty at St. James's, where the Business had lasted much longer than was expected; which Excuse, tho' it might, in great Measure, free the Lord Chancellor from the Imputation of wilful Neglect of Duty, yet seems to us, in no Degree to justify the Indignity, which, we think, was, upon the whole Matter, done to the House, which is undoubtably the greatest Council in the Kingdom, to which all other Councils ought to give Way, and

not that to any other; \* and therefore the Business of any other Council ought not to have detain'd the Speaker of this House, after the Hour appointed for its Meeting; and during the Time of the Day, the House has usually, of late, spent in Business; and therefore, we thought, the least Resentment the House could shew, on this Occasion, to prevent its being used so for the future, was to adjourn without entering on any Business; and this the rather, because we foresaw it could not obstruct any publick Affairs, since the Time was so far spent, as that no Business of Consequence could have been gone through, with Effect, tho' enter'd upon.

M. As we may venture to say, that the Dignity of this House has not been, of late Years, increas'd, so we were unwilling, that any Thing, we conceive to be a gross Neglect of it, should pass without some Note on our Records, that we were sensible of such Neglect, and did not approve it, which, we thought, would have been, in some Measure, attain'd by an immediate Adjournment. Nor was any other Method propos'd; and since that could not be effected, we enter this Dissent with our Reasons, that it may appear to Posterity, we were zealous to withstand, in the Manner propos'd, the farther Progress of a Practice so injurious, as we conceive, to the Honour and Authority of this supreme Council.

W. Ebor.	Somerset,	Uxbridge,
Montjoy,	Weston,	Litchfield,
Boyle,	Alsburnham,	Aberdeen,
Osborne,	Strafford,	Guilford,
Foley,	Cowper,	North and Grey,
Scarsdale,	Compton,	Bingley,
Bristol,	Bathurst,	Maynard,
E. Cestriens.	Craven,	St. John de Blotson.

The Lords having spent three or four Sittings on the Bills sent up to them by the Commons, their Lordships, on the 10th of February, consider'd in a grand Committee the Bill to enable his Majesty to restrain any of his Subjects from building Ships for Foreigners. Hereupon the Lord Harcourt propos'd, that a Clause might be added, for excepting

\* Here is a various Reading, viz. after the Words, and not that to any other, thus, especially to a Council the Law and Constitution know not, and therefore the Business of that Council, of all others, ought not &c.

ing Ships that carry'd not above 20 Guns and 36 Men. He was seconded by the Duke of *Argyle*, and supported by the Lord *Carteret*, the Lord *Carleton*, the Lord Viscount *Townshend*, and the Earl of *Scarborough*; but being oppos'd by the Earls *Comper* and *Strafford*, the Debate was adjourn'd to the 14th of that Month.

That Day the Lords went again, in a grand Committee, upon the said Bill, and then Earl *Comper* mov'd, that in the first Clause these Words might be added, *viz. Ships of 400 Tons and upwards, and 30 Men*; but this being strenuously oppos'd by the Lord *Townshend*, supported by the whole Court-Party, after a long Debate, the said Addition was rejected, without dividing; and the farther Consideration of that Bill was adjourn'd to *February 20*, when it was likewise resolv'd to consider the State of the Debts of the Nation.

*Feb. 13.* The Lords read a second Time, the Bill for the better securing the Freedom of Elections of Members to serve for the Commons in Parliament; and for the better ascertaining their Qualifications as to their Estates. The Lord Chancellor having, as usual, desir'd to know the Pleasure of the House, whether the said Bill be committed, the Earl of *Sunderland* endeavour'd to shew the Impossibility of several Clauses in that Bill being put in Execution, without exposing the most innocent Persons to the Guilt of Perjury. He was answer'd by the Lord *North* and *Grey*, who was seconded and back'd by the Lord *Trevor*, the Bishop of *Rocheſter*, and the Earl of *Strafford*; but the Earl of *Sunderland* reply'd to them, and being supported by the Lord *Townshend*, and the Duke of *Argyle*, who spoke several Times, the Question for committing the Bill being put, was carry'd in the Negative, by 48 Voices against 30. Then another Motion was made, and the Question put, that the said Bill be rejected, which was carry'd in the Affirmative by the same Majority of Votes, *viz. 48 against 30*. Hereupon several Lords enter'd the following Protest, *viz.*

*Dissentient.*

I. **B**Ecause the Methods of Corruption, made Use of in Elections, and now grown to an Height beyond the Example of preceding Times, are, of all others, the greatest Blemish to our Constitution, and must, if not



remedy'd, prove fatal to it, and did therefore chiefly deserve (as they can only admit of) a Parliamentary Cure.

II. Because the Commons, who are best qualify'd to judge of the Growth of this Evil, and to point out proper Remedies for it, having sent up a Bill, complaining of the one, and desiring our Assistance in the other; it was not, we apprehend, suitable to the Dignity and Wisdom of this House, to reject such a Bill, without entering into a free Discussion of the Particulars of which it consisted, and thereby to give an Handle for Reflections without Doors, as if we had shewn a less Degree of Zeal against the Corruption complain'd of, than those from whose Elections they sprung; our Opinion is, that we should rather have taken this favourable Opportunity of joining our Endeavours with theirs, towards the Cure of this Evil, than have made ourselves liable to Objections, for refusing to attempt it, even after such an encouraging Step taken by the House of Commons.

III. Because a Law against Corruption, tho' always desirous, is yet particularly seasonable and necessary, at such a Juncture as this, when new Elections of Members are coming on, and the Parliament for which they shall, by what Method soever, be chosen, may continue for seven Years. And we think the Lords are the more concern'd to obviate the ill Consequences of such a Choice, because the SEPTENNIAL ACT, which made so remarkable a Change in our Constitution, had its Rise from this House.

IV. Because we are perswaded, that by the Terror of the Penalties contain'd in this Bill, which were to have operated soon after it pass'd into a Law, a mighty Check would have been given to the Growth of Corruption, tho' it should not have been absolutely cur'd. And we are confirm'd in this Opinion, by what we have heard, and believe, that while the Bill was depending in Parliament, and the Fate of it unknown, the infamous Practices at which it was level'd, were, in some Measure, suspended; and should a farther Stop have been put to Corruption and Bribery, at the approaching Elections, by the passing this Bill, such a Degree of Success might have given the Legislature Hopes of intire suppressing of it.

V. Because, supposing this Bill to have been defective in some Respects, and not well adjusted in others, to the End design'd, (a Supposition made, but not admitted by us) yet the true Way of supplying these Defects, and making all proper Alterations, would have been by com-

mitting

mitting the Bill, and not by rejecting it. In other Cases, where a Bill of publick Concern is laid aside by the House, they can easily make amends for that Loss, by bringing in a new one, which may more effectually answer the good Ends propos'd; whereas, in this Case, neither is there Time sufficient for repeating the Attempt, or can any Bill of this Kind be ever begun in this House, with any reasonable Prospect of Success.

VI. Because the Intention of many chief Clauses in the Bill, is to provide for the more effectual Execution of Laws already made to secure the Freedom of Elections, but hitherto evaded for Want of such Provisions. And we know not that any Argument hath been, or can be used against passing such Parts of this Bill into a Law, but what may, with equal or greater Strength, be urg'd for repealing those Laws, which yet are held Sacred and Inviolable.

VII. Because several Oaths are, by Laws now in Being, requir'd to qualify Electors; and the Oaths enjoin'd by this Bill, are intended only to strengthen the Obligations, under which such Electors do, by the known Rules of our Constitution, already lie: Nor are these Oaths attended with any new Hardship, or Difficulty, since they relate only to plain Matters of Fact, which are certainly known by the Electors themselves; and which they will be ready to attest with all Solemnity, if they are conscious of their own Innocency, in Point of Corruption; and if they are not, legal Punishment of Perjury, to which they are subjected, is light, in Comparison of the heinous Nature of their Offence, and the mischievous Consequences of it.

VIII. Because that Part of the Bill which forbids issuing of Publick Money towards the influencing Elections, relates to a Method of Corruption, which, of all others, ought the most carefully to be guarded against, and yet was admitted in the Debate to have been frequently practis'd; and therefore we cannot but wish, that this Bill had pass'd into a Law for the Sake of that Clause, which would have hinder'd what was given for the Security of the Subjects Rights, and the Safety of the Kingdom, from being ever employ'd to the Destruction of both. An Example of this, set by Men in high Offices and Stations, cannot fail of spreading its Influence through all Ranks and Orders of Men, and of procuring Impunity and Applause for such Practices, as all true Lovers of their Country

Country must with might be universally detested and punish'd.

IX. Because we cannot understand, how the Objection made to this Bill, [*That it removes Foundations*] can, with any Colour of Reason, be supported; on the contrary, we think that the whole Design of it, is to recover our old Constitution, and re-settle it on those firm Foundations, from which it has been remov'd ever since Bribery has been made an usual Inlet to Parliament; and that dangerous Traffick has been carry'd on between the Electors and the Elected, which has undermin'd the virtuous Principles, and may prove fatal to the Liberties of the free People of this Realm.

X. Because another Argument insisted on in Prejudice of the Bill, [*that it would give the House of Commons a greater Latitude in deciding disputed Elections*] seems to us to be equally groundless; for the Penalties intended to be enacted by this Bill, are to take Place only upon Prosecutions in the ordinary Courts of Justice, and cannot come under the Cognizance, or be inflicted by the Authority of the House of Commons, nor can the Courts below be check'd in their Proceedings on this Head, by the Determinations of that House, with which the Methods of punishing Corruption, prescrib'd by this Act, do not in the least interfere: What therefore was alleg'd in the Debate, can by no Means be allow'd, that while the Commons are the sole Judges of Elections, 'tis in vain to think of restraining the Corruption of Electors; since the Methods here prescrib'd, are such, as either operate on the Conscience, or will, in the common Course of Law, execute themselves; and tho' they may be forwarded, yet cannot be frustrated by the Intervention of an House of Commons.

XI. Because as the passing this Bill would have been attended with no Inconveniences to the Publick, so great Mischiefs may, we apprehend, ensue upon the rejecting it: The Honour of this House may suffer on that Account, and Corruption of all Sorts will, we fear, receive new Life and Encouragement, it being a Matter of daily and certain Observation, that whenever a Bill is brought into Parliament to redress any great Disorders in the State, any Discountenance given to such a Bill, will always countenance and increase such Disorders, and make them less capable of Remedy in succeeding Times, especially when it shall be affirm'd in the Debate, that all Bills of this Kind do more Mischief than Good; which

Way

Way of Reasoning, should it prevail, would effectually prevent all future Attempts towards curing this Great Evil, and preserving the Constitution of Parliaments.

*Strafford,  
Maynard,  
Foley,  
Scarsdale,  
Fr. Cestriens.  
Treyer,  
Guildford,  
Boyle,  
Aberdeen.*

*North and Grey,  
Uxbridge,  
Bathurst,  
Bristol,  
Aylesford,  
Fr. Roffen.  
Tadcaster,  
Masham,*

*Litchfield,  
Weston,  
Kent,  
Craven,  
Compton,  
Salisbury.  
Montjoy,  
Bingley,*

Feb. 19. The Order of the Day was read, for taking into Consideration the Protestation enter'd in the Journal of this House the 13<sup>th</sup> of this Instant *February*. And the several Reasons for the said Protestation being read, after Debate, the Question was put, whether the entire Entry of the Reasons for the said Protestation on the 13<sup>th</sup> Instant, shall be expung'd, it was resolv'd in the Affirmative. Content 55. Not Content 22.

*Dissentient.*

I. **B**ECAUSE we are of Opinion, that the Reasons expung'd, were both as to the Matter and Form of them, agreeable to Precedents in former Parliaments, still remaining on the Journals uncancel'd by the House.

II. BECAUSE we were very desirous, that the Arguments contain'd in those Reasons against Bribery and Corruption in Elections, and our Zeal for obtaining such Remedies as were propos'd by the Commons themselves, might appear to Posterity, as fully and particularly as possible.

III. BECAUSE as the Practice of expunging Reasons is not ancient, so the Method taken upon this Occasion of expunging many Reasons of various Kinds, by one general Question, is, we conceive, unreasonable in itself, and is countenanc'd but by one Precedent on our Books.

*W. Eber.  
Ashburnham,  
Strafford,  
Fr. Roffen.  
North and Grey,  
Bingley,  
Boyle,*

*Cowper,  
Compton,  
Aylesford,  
Montjoy,  
Guildford,  
Litchfield,  
Bathurst,*

*Maynard,  
Uxbridge,  
Weston,  
Bristol,  
Foley,  
Fr. Cestriens.  
Aberdeen.*

Then

Then the Order of the Day for the House to be in a Committee again, to take into farther Consideration the Causes of contracting so large a Navy-Debt, being read, a Motion was made, that the House be put into the said Committee on this Day three Weeks. After Debate, the Question was put, that the House be put into a Committee again, to take into farther Consideration, the Causes of contracting so large a Navy-Debt, on this Day three Weeks, it was resolv'd in the Affirmative.

*Dissentient.*

I. **B**ECAUSE the putting off the farther Consideration of the Causes of the Navy-Debt, to so distant a Day, after so long an Adjournment of the same Matter already had, is, as we conceive, not only a Discouragement and Delay, but as the Session may happen to end, will totally prevent (at least during this Session) that Enquiry, which, as we apprehend, would greatly have tended to the publick Good, in hindering so large a Navy-Debt from being contracted for the future.

II. Altho' the said Enquiry hath been a great while depending, yet a very few Days only, it appears by the Journal, have been allow'd for it, and one of those was employ'd in reviewing two Questions, which were at first kept from being put by previous Questions, and therefore we conceive a few Days more ought not to have been deny'd, for the looking into a Matter of so very great Importance to the Publick.

III. We apprehend, that all Matters properly brought before either House of Parliament, especially Enquiries into Mismanagements of the publick Business, ought, if the Time will allow it, to be freely and fully discuss'd, and determin'd one Way or other, and ought not to be kept off from coming to any Determination, by one long Adjournment after another, till the Session be ended.

IV. Because it was alledg'd in the Debate, as a Reason against so long an Adjournment, that the Subject Matter of the Enquiry was not near exhausted, that the Points already consider'd and determin'd, had no Relation to those propos'd to be consider'd in the farther Enquiry, and consequently the Determination of the former, could in no Degree prejudice the latter, or make the going upon them needless or improper; and to evince this, several of the Particulars design'd to have been proceeded upon, were specify'd, 25

That

That it appear'd by Extracts of several Letters on the Table, especially by a Letter from the Navy-Board, dated *February 13, 1701*, that the Practice of turning over Companies, or Part of Companies, from one Ship to another, without their Officers, was a Charge to the Crown, by confounding Accounts, and otherwise, as well as disgustful to the Seamen.

That by other Papers before the House, it appears, that several Squadrons have gone out of late without Muster-Masters, whose Office and Duty it is to detect Frauds in Pay, and on the Head of Victualling.

That in the Year 1720, 2201 Men were employ'd in the Yards, more than in the Year 1714, and 2627 Men more than in the Year 1698; and that the Wages of those Men have of late been greatly increas'd; both which, for ought appear'd to us, are an unaccountable Increase of that Charge to the Publick.

That since the Year 1714, many new Captains and Lieutenants had been made, while great Numbers have been kept in Half-Pay, and unemploy'd, besides those created on Vacancies, which happen'd while the Ships were abroad, and by that Means an unnecessary Charge has been continu'd on the Publick, and the elder Officers oblig'd.

That without any Order or Establishment by his Majesty in Council, Pay has been allow'd, contrary to the Usage of the Navy, to Flag-Officers at Home, during the Winter, on Pretence of their making a Journey or two to see their Squadrons equip'd.

That without such Order or Establishment of his Majesty in Council, Captains and Commanders of small Numbers of Ships, have been paid as Rear-Admirals, on Pretence of having Captains under them, and in but one Instance that we could observe a Reason given, why they had Captains under them, unless it was to colour their having such Pay.

And we are well assur'd, that on farther Enquiry it will appear,

That new Lieutenants have been made Abroad, and old ones fit to serve, sent Home, to be put in Half-Pay.

That Flags have been paid in double and treble Capacities.

That Flags, and other Officers, have been paid, as in higher Stations than those they serv'd in.

That two or three Flags of the same Sort have been paid at the same Time.

That Retrospections of Pay have been allow'd to Flags, and other Officers.

All which being against the ancient Economy of the Navy, and wastful of the publick Treasure, we think should have been inquir'd into without Loss of Time.

These Mismanagements, as we take them to be, and others might have appear'd on farther Consideration of this Matter, contributing, as we apprehend, to waste the publick Treasure, must necessarily have been, in a great Degree, an Occasion of contracting so large a Navy-Debt; and therefore we are of Opinion, that one or more farther Days, which would probably have fallen within this Session, should have been appointed for the taking them into Consideration, which not being done, we the rather enter this Protest, with our Reasons, as what, we hope, may give an Occasion to the resuming the Thoughts of this Matter, in another Session of Parliament.

<i>W. Ebor.</i>	<i>Montjoy,</i>	<i>F. Roffen.</i>
<i>Albarnham,</i>	<i>Uxbridge,</i>	<i>Stratford,</i>
<i>Boyle,</i>	<i>F. Cefiriens.</i>	<i>Alberdeen,</i>
<i>Blagiey,</i>	<i>Bristol,</i>	<i>North and Grey,</i>
<i>Compton,</i>	<i>Bathurst,</i>	<i>Cowper,</i>
<i>Foley,</i>	<i>Aylesford,</i>	<i>Guildford.</i>

Feb. 20. The Order of the Day, for taking into Consideration the State of the National Debt, being read, a Motion was made, and the Question was put, that it appears by the State of the Publick Debt before the House, that the same (exclusive of the Debt of the Navy) is encreas'd between the 31<sup>st</sup> of December 1717, and the 31<sup>st</sup> of December 1720, at least the Sum of 2,300,000*l.* notwithstanding that the Sinking Fund has produc'd within that Time 1,910,385*l.* 14*s.* 6*d.*  $\frac{3}{4}$ , it was resolv'd in the Negative. Content 23. Not Content 50.

#### *Dissentient.*

**B**ECAUSE the Question consisted wholly of Matters of Fact, which were exactly agreeable to a Paper laid before the House by the proper Officers, on the Address of this House; and as it is not reasonably to be presum'd, that the Officers of the Crown would state the Debt higher than it really was, so we cannot but think nothing was alleg'd



alleg'd in the Debate, that made it appear, the Debt was less than stated in the Question; but, on the contrary, had the exact *Quantum* of the Debt been material to have been inquir'd into, on this Occasion, it was evident to us, even from a Memorandum at the Bottom of the same Paper, that the Debt was, in Reality, much higher the 31<sup>st</sup> of December 1720, than stated in the Question.

W. Ebor.  
Gailford,  
Strafford,  
Bathurst,  
Aberdeen,  
Uxbridge,

Cowper,  
Ashturnham,  
F. Cestriens.  
Boyle,  
North and Grey,  
Litchfield.

Weston,  
F. Rolffen.  
Montjoy,  
Bristol,  
Foley.

Then a Motion was made, that the lessening the publick Debt annually, by all proper Methods, is necessary to the restoring and preserving the Publick Credit; and a Question being stated thereupon, after Debate, the previous Question was put, whether the said Question shall be now put, it was resolv'd in the Negative.

#### *Dissentient.*

I. **B**ECAUSE, as the main Question is undeniably true, and seems to us to be so, by its being prevented to be put by the previous Question, so we think it would have been highly expedient, and useful to the Publick, to have had it put, and voted in the Affirmative; that by the declar'd Opinion of this House, (which must always be of the greatest Authority) those who are more immediately concern'd to take Care of the Publick Credit, might not rely on vain and deceitful Project, for restoring and preserving the Credit of the Nation, but apply themselves seriously and diligently to bring about the only effectual Means of doing it.

II. Altho' so clear and evident a Truth, as is contain'd in the main Question, cannot, when propos'd, but obtain the Consent of all, especially of such as are qualify'd to be in great Stations; yet, at this Juncture, when the Publick is under so great Necessities from the unexampled Pressure of Debts, and when all other Remedies, hitherto attempted, have prov'd ineffectual, if not mischievous, we cannot but conceive it was extremely proper, and must have greatly conduc'd to the restoring and preserving the Publick Credit, to have quicken'd the Endeavours, for that Purpose, of all in the publick Service, by so high

an Authority, as a Resolution of this House, nor only pointing out to them the Way they should take towards that good End, but intimating also, that as far as is possible to be attain'd, the doing so would be expected from them; and therefore, we conceive, the main Question should have been put, and voted, (as we think it must have been, had it been put) in the Affirmative.

<i>W. Ebor.</i>	<i>Cooper.</i>	<i>Weston,</i>
<i>Guilford,</i>	<i>Ashburham,</i>	<i>F. Roffen.</i>
<i>Strafford,</i>	<i>F. Cestriens.</i>	<i>Bathurst,</i>
<i>Boyle,</i>	<i>Bristol,</i>	<i>Aberdeen,</i>
<i>Norsh and Grey,</i>	<i>Foley,</i>	<i>Uxbridge.</i>
<i>Litchfield.</i>		

To return<sup>e</sup> to the Commons. Feb. 13. The Commons read a third Time, pass'd, and sent up to the Lords, an ingross'd Bill for the better Recovery of the Penalties inflicted upon Persons who destroy the Game. Then the House went upon the Complaint of Sir John Cope, Bart. against Mr. Baron Page, for endeavouring to corrupt several of the leading Members of the Corporation of Banbury, against the next Election; and to aggravate the Matter, Sir John Cope acquainted the House, that he was inform'd, that some of his Evidences had been tamper'd with; and that there was one Mr. Gregory at the Door, who could give the House an Account thereof. Mr. Gregory having thereupon been call'd in, and examin'd, Sir John Cope mov'd, that the Matter of the said Charge might be refer'd to the Consideration of a Committee, upon Oath; but this was oppos'd by the Courtiers, who urg'd, That the said Complaint was already order'd to be heard at the Bar of this House this Day, and the Question being put, that the hearing the Matter of the said Charge at the Bar of this House be discharg'd, it was carry'd in the Negative by 176 Voices against 137. Then Sir John Cope desir'd, and the Question was propos'd, that the Witnesses to be examin'd in the Matter of this Charge, be examin'd at the Bar of this House in the most solemn Manner; but the previous Question being put, that the Question be now put, it pass'd in the Negative by 144 Votes against 142. Then the Counsel for Mr. Baron Page being call'd in, and the Charge of Sir John Cope against him read, the Mayor of Banbury, and other Witnesses, were call'd in, and examin'd by Sir John Cope; after which, the Counsel for Mr. Baron Page was heard, and a Witness examin'd. The Witnesses

Witnesses for Sir John Cope declar'd, ' That Mr. Baron Page being with Sir Adolphus Oughton, and Sir William Coddington in the Town-Hall at Banbury, Mr. Baron Page call'd the Mayor and two or three of the Aldermen into another Room, and discoursing with them about a Person to be set up at the next Election to represent the Corporation, he propos'd to them Sir William Coddington. That they answer'd, They would be very glad to accept one of his Recommendation; but added, that most other Corporations made a considerable Advantage of their Elections; and they knew no Reason why they should not do it as well as their Neighbours; that they wanted to have their Streets pav'd, an Augmentation to their Vicaridge, and a School to be built; which the Corporation not being able to do of themselves, their Stock being very low, they therefore expected, that the Person who should be chosen should be at that Expence, which, in all, might amount to 5 or 600*l*. That thereupon the Baron told them, he did not expect such an Answer; that they knew he had been very kind to the Corporation, and had been at a great Charge, no less than 6 or 700*l*. to procure them a new Charter; that he never intended to ask that Money of them, and if they would order a Release for it to be drawn up, he would readily sign it, which he did accordingly on the 22<sup>d</sup> of December last. That this was all that pass'd then; but that the Baron came afterwards to them, and offer'd them first 100*l*. and then came up to 500*l*. It being late, the House adjourn'd the farther hearing of that Matter to the next Day, when, after the farther examining of Witnesses, and hearing of Mr. Baron Page's Counsel, a Motion being made, and the Question put, that it appear'd to this House, that Sir John Cope, Bart. had made good his Charge against Sir Francis Page, one of the Barons of his Majesty's Exchequer, it was, after a long Debate, carry'd in the Negative, by a Majority of 128 Votes against 124.

On the 15<sup>th</sup> of February, a Bill for the more effectual suppressing of Piracy, was read the first Time, and a Bill for prolonging the Time for determining Claims before the Trustees of the late South-Sea Directors, &c. was read a second Time, and committed to a grand Committee; after which, in the said Committee, the Bill to prevent the Mischief by forging Powers to transfer Stocks or Dividends, &c. was gone through, and some Progress made in the Bill to prevent the clandestine running of Goods, &c.

Feb. 16.

Feb. 16. Upon the reading the Order of the Day, for the House to go into a grand Committee, upon the *Bill to enable the South-Sea Company to dispose of the Effects in their Hands, &c.* a Motion being made, and the Question put, that the said Committee have Power to receive a Clause, to explain a Clause in the Act, pass'd the last Session, to restore the publick Credit, &c. so far as the same relates to special Bail being requir'd, in any Action brought upon any Contract, made since the 1st of December 1719, and before the 1st of December 1720, for the Sale or Purchase of any Subscription or Stock of the South-Sea Company, or any Company or Corporation whatsoever, it pass'd in the Negative. But it was order'd, that the said Committee have Power to receive a Clause, for enlarging the Time for paying 5*l.* per Cent. to the South-Sea Company, by such Borrowers as had neglected to pay the same, before the 25th Day of December last. Then the House went into the said Committee, Sir Thomas Croffe being in the Chair, and Mr. Robert Walpole offer'd a Clause to be added to the Bill to empower the South Sea Company to dispose of Part of their Capital Fund, not exceeding Two Hundred Thousand Pounds per Annum, to any Persons, Body Politick or Corporate, to enable them to pay their Debts. This Clause was very strenuously oppos'd by Mr. Archibald Hutcheson, the Lord Morpeth, General Roffe, and Mr. Pulteney; who, among other Reasons suggested, "That this was but an Ingraftment in other Terms: That the South-Sea Company had desir'd no such Power; but if they had it, the Directors would not fail making Use of it, whether there was any Occasion for it or no." To this Mr. Walpole reply'd, "He perceiv'd, that because he had once declar'd himself in Favour of an Ingraftment, every Thing he propos'd since appear'd frightful, as tho' he were in the Interest of another Company, and not in that of the South-Sea; but that he took that Opportunity to declare, that he had no Manner of Concern in the Bank, where, for a long Time, he had not had one Penny; whereas he had, at this very Juncture, a considerable Stock in the South-Sea Company, and therefore had Reason to be for the Interest of the latter, if he consider'd only his own; but that in this whole Affair, he had the publick Good principally in View: And altho' he had been so much reflected on for being for an Ingraftment, yet he would undertake to prove to any two unprejudic'd Gentlemen in that House, as plainly as Figures could do, that an Ingraftment had

been

been for the Interest and Advantage of the *South-Sea Company*. That as to this Clause, he could not imagine, why any one concern'd in the said Company, should be against their having as much Power as they could, since it was in their Choice, whether they would make Use of it or not: That considering the present Circumstances of Affairs, the lowness of Publick Credit, the Parliament's drawing to an End, and how many Accidents might happen before another Session, he thought it could not hurt the Company to have Power from the present Parliament, to do what they might have Occasion to apply for to a Parliament, when, perhaps, none were sitting." This Speech had so much Weight, that the said Clause was agreed to, and the Bill gone through.

Feb. 17. The Commons, in a Committee of the whole House, went also through the Bill to prevent the clandestine running of Goods, &c. And on the 19th, Sir Thomas Croft reported the Amendments made to the Bill to enable the *South-Sea Company* to dispose of the Effects in their Hands, &c. and a Clause being offer'd to be added to the said Bill, and a Debate arising thereupon, the same was adjourn'd to the 21st, when, with some Amendments, the said Clause was agreed to, and the Bill order'd to be engross'd. The same Day, Petition of such of the Directors of the *South-Sea Company*, as are not appointed Trustees by the late Act of Parliament, to receive and dispose of the Effects of the late Directors and others, was presented to the Commons, and read; praying, that the Court of Directors might be discharg'd from giving any Approbation of the Trustees Proceedings, or any Orders of Instructions therein, and the settling and determining the Value of the said Estates; but the Petition was rejected. The Day before (Feb. 20) the Commons read the third Time, pass'd, and sent up to the Lords, the ingross'd Bill to prevent the Mischiefs by forging Powers to transfer Stocks, &c. as they did, on the 22d, the ingross'd Bill to prevent the clandestine running of Goods, &c.

Feb. 23. The Commons read the third Time, pass'd, and sent up to the Lords, the ingross'd Bill to enable the *South-Sea Company* to dispose of the Effects in their Hands, &c. as they did, on the 24th of February, the Bill for prolonging the Time for determining Claims before the Trustees, &c. and then, in a grand Committee, went through the Bill for suppressing Piracy.

On the 26th of *February*, the Amendments made to the *Bill for suppressing Piracy*, were agreed to, and the said *Bill* being ingross'd, was the next Day, read the third Time, pass'd, and sent up to the Lords. After this, the Commons adjourn'd to the 5th of *March*, when, upon the Report of an ingross'd *Bill* from the Lords, entitl'd, *An Act for preventing Delays, in the Execution of the Trust repos'd in the Governors of the Hospital of King James founded in the Charter-House, &c.* Mr. Controller inform'd the House, that his Majesty (who is a Governor of the said Hospital) having been acquainted with the Contents of this *Bill*, had commanded him to acquaint the House, that he had no Objection to it. Hereupon the said *Bill* was read the third Time, pass'd, and sent back to the Lords; and then the Commons adjourn'd to the 7th of *March*, when Mr. *Westfaling*, from the Commissioners for examining and determining the Debts due to the Army, presented to the House a Report of the Army Debts, which was order'd to lie on the Table.

Let's now attend the Proceedings of the House of Peers. On the 19th of *February*, there was a great Debate about the Protest which several Lords had sign'd, upon the *Bill to prevent Corruption in Elections*, being rejected; the Occasion of which Debate was this: While that *Bill* was under Consideration in the House of Lords, the Earl of *Sunderland* suggested, 'That it had been a common Thing in former Reigns, for Money to be issu'd out of the Treasury, and even remitted from *France*, for promoting the Election of such Persons as were in the Court-Interest.' This Suggestion some Lords laid hold on, and therefore in their Eighth Reason for their Protest, inserted these Expressions, 'That the issuing of Publick Money towards the influencing Elections, related to a Method of Corruption, which, of all others, ought the most carefully to be guarded against, and yet was admitted, in the Debate, to have been frequently practis'd, &c.' The Earl of *Sunderland* took from hence Occasion to represent to the House, 'That every Member of that illustrious Assembly, had, indeed, a Right to dissent from, and protest against any *Bill* depending, or any Resolution taken in the House; but that it was an intolerable Abuse to wrest any Man's Words, and put false Constructions upon them, as had been done in an Instance relating to himself. That he durst appeal to any Lord in the House, that was not a Protester, whether, in the Debate,

Debate about the Bill above-mention'd, he said, or intimated, that the issuing publick Money for Elections had ever been practis'd in this Reign; for what he meant, was only in King Charles's and King James's Time. His Lordship added, that the Business of Protests was manag'd now after another Manner than formerly; for, at present, it was grown customary to protest even against Bills that were pass'd into a Law, and to get them printed, and handed about in Coffee-Houses, and sent all over the Kingdom, to inflame the Minds of the People against the Administration; and therefore he thought it high Time to have the Method of protesting regulated." This Speech was answer'd by the Earl Cowper, who was back'd by the Lord North and Grey, Lord Bishop of Rochester, Lord Bathurst, Earl of Strafford, and Earl of Aylesford; but they were reply'd to by the Earl of Sunderland, Duke of Wharton, Lord Viscount Townshend, Duke of Argyll, Lord Carteret, Lord Harcourt, and the Duke of Newcastle, which last mov'd for the Question, viz. Whether the entire Entry of the Reasons for the said Protestation on the 12th Instant shall be expung'd? This being carry'd in the Affirmative by 55 Voices against 22, one and twenty Lords enter'd a Protest against the said Resolution, which Protest is inserted above, Page 127, as is also (Page 128) another remarkable Protestation made the same Day, (Feb. 19.) upon the Consideration of the Navy-Debt being farther adjourn'd for three Weeks.

Feb. 20. The Lords took into Consideration the national Debt, and Earl Cowper, who open'd the Debate, took Notice, how much the same had been increas'd, besides that of the Navy, for several Years past, as appear'd by the State of the publick Debt, extracted from the Books of the Treasury, and this without any visible Occasion, since every Thing that had been ask'd of the Parliament, had been readily granted and provided for, every one of those Years; and therefore his Lordship mov'd, That it appears by the State of the publick Debt before this House, that the same (exclusive of the Debt of the Navy) is increas'd between the 31st of December 1717, and the 31st of December 1720, at least the Sum of 2,300,000*l.* notwithstanding that the Sinking-Fund has produc'd within that Time 1,910,385*l.* 14*s.* 6*d.* 2. This Motion was seconded by the Lord Bathurst, and supported by the Lords Kingley, Trevor, and North and Grey, who spoke several Times; but they were all strenuously oppos'd by the



Lords *Carteret* and *Townshend*, the Earl of *May*, the Earl of *Sunderland*, the Bishop of *Sarum*, and the Earl of *Scarborough*; so that the Question being put upon the said Motion, it was carry'd in the Negative, by 50 Voices against 23. Hereupon Seventeen Peers enter'd the Protest inserted above, Page 130, as did also the same Day, Sixteen Peers another Protest, (which see in Page 131) upon the Question relating to the lessening of the publick Debt, being carry'd in the Negative.

On the 22<sup>d</sup> of *February*, the Lords took into Consideration the Manner of Protesting; but after some Debate, the same was adjourn'd to the 27<sup>th</sup> of *February*, when the Earl of *Sunderland* took Notice, 'That the Privilege of entering Protests had, of late, been so much abus'd, that, in his Opinion, some Restraint ought to be put to it, by limiting the Time for entering Protests, upon asking Leave of the House, which was never deny'd; and therefore he mov'd, that such Lords as shall enter their Protestations with Reasons, shall do the same before two a-Clock the next sitting Day, and signing them before the House rises. This was oppos'd by the Lord *Comper*, who alledg'd, 'That the Time being so short, and very few Lords coming so early, such an Order would, in Effect, put an End to all Protesting, which was an ancient Privilege of that House.' The Lord Bishop of *Rochester* added, 'That if Protests were limited to so short a Time, this was, at least, the Way to have them crude and undigested; and he thought it unbecoming the Dignity of that august Assembly, to have any Thing enter'd upon their Journals, which were Records for After-Ages, before it had been duly consider'd, and well digested.' He was supported by the Lords *Bathurst*, *North* and *Grey*, and *Trevor*; but they were oppos'd by the Lords *Townshend* and *Onslow*, the Earl of *Sunderland*, the Bishop of *Peterborough*, the Duke of *Argyle*, and the Lord *Carteret*; and the Question being put upon the said Motion, it was resolv'd in the Affirmative by 48 Voices against 18. And an Order was made pursuant to the said Resolution. Then a Motion was made, that the said Order be made a standing Order of this House, &c. but the Debate upon that Motion was adjourn'd to the 3<sup>d</sup> of *March*, when all the Lords were order'd to be summon'd.

On the 2<sup>d</sup> of *March*, the Lords read a second Time, an ingross'd Bill from the Commons, entitl'd, *An Act to prevent the clandestine running of Goods, &c.* and the Question being put, whether this Bill shall pass, it was resolv'd in the

the Affirmative; upon which several Lords enter'd the following Protest, *viz.*

*Dissentient.*

I. **B**ecause we are very sensible of the ill Consequences that attend the pernicious Practice of running Goods, and therefore with some reasonable, proper, and effectual Method (which we do not take this Bill to be) might have been set on Foot to prevent it.

II. Because the making the Alteration by a former Bill, from Ships of 15 Tons, to those of 30, has not prov'd of any Advantage, as we apprehend, since it has been admitted that the Customs have fallen since; and we find no Ground to hope, that the farther raising this Prohibition to Ships of 40 Tons, as is done by this Bill, will be effectual; but we think there is Reason to fear, that it may be a great Prejudice to the Coasting Trade in particular, since the Owners of such Vessels are thereby subjected to the heavy Penalty of losing their Ships, when possibly they may be entirely innocent themselves, and the Fault may be committed only through the Folly and Knavery of the Sailors, which will discourage the lending small Vessels to those who trade in them, by which a great Part of the Coast Trade is at present carry'd on.

III. Because the Penalty of Banishment in the Bill, seems, in some Cases, to be annex'd to a very small Offence: We do not think it too great for any one, who shall be taken with Goods of any considerable Value, and with a manifest Intent to defraud his Majesty of his Customs; but as the Bill is worded, it will, as we conceive, extend to any Gentleman, if armed, returning from his Travels, who has about him, knowingly, the least Trifle, that has not been enter'd and paid Duty, tho' he has not the least Design to defraud the King of his Customs, or thinks he is transgressing any Law whatsoever; and we do not think fit to depend, that so severe a Law may not, in such hard Cases, be sometimes executed with Rigour.

IV. Because it was endeavour'd, but, without Success, at the Committee, to have excepted the Barges of Noblemen, and of the Lord Mayor, and Companies of the City of London, which cannot be suppos'd to be us'd of the the great Barges of State belonging to the City (and us'd) in the running of Goods; and therefore cannot be conceive the making it necessary for the Noblemen, or the Lord Mayor, and Companies, to apply to the Admiralty for

for a License to use their own Barges on the River of *Thames*, or lay aside the Use of them for want of such Licenses, which cannot be obtain'd, without giving such Security as will bind and incumber the real Estates of the Obligers, to be not only a great and unnecessary Indignity, but also an Invasion of Property, especially in the Case of the Barges belonging to the City of *London*, which City has an ancient Right to the Conservation of the River of *Thames*, and as high an Interest in it as is possible to be had in any navigable River; and therefore we think it absurd, as well as injurious to Property, to compel the great Officers and Companies of the City, to ask, and give Security for a License, to navigate or pass on that Part of the *Thames*, which may not improperly be call'd their own River.

V. It seems to us partial and unjust, that the Prohibition of Barges and Vessels, describ'd in the Bill, should be confined only to the Counties for that Purpose nam'd in the Bill, and not to other Maritime Counties, especially such as are most infamous for running Goods, where, tho' the Vessels describ'd may not as yet be so much in use as in the Counties nam'd, yet they will undoubtedly be more used in other Counties not nam'd, when they can no longer be kept in the Counties or Places the Bill extends to: And we conceive Laws should not make a Distinction, where there is no Difference in Reason, on a Dependence that it may be supply'd by a new Law another Opportunity.

VI. Because the Time allow'd by the Bill (*viz.*) to the 25th of this Instant *March*, either to dispose of the Barges, and other prohibited Vessels, or obtain Licenses for keeping them, is much too short, as we conceive, and will prove the Occasion of more Hardships being done, than can possibly be foreseen.

*Scarfsdale,*  
*Stratford,*  
*Bristol,*  
*Aberdeen,*  
*Boyle,*  
*Montjoy,*  
*Foley,*

*Masham,*  
*St. John de Bletsoe.*  
*Guildford,*  
*Bathurst,*  
*Weston,*  
*Uxbridge,*

*Compton,*  
*North and Grey,*  
*Fr. Roffen.*  
*Craven,*  
*Cawper,*  
*Litchfield.*

The next Day (*March 3.*) the Lords, according to Order, proceeded to take into Consideration the Motion made on the 27th past, for making the Order then made, (*viz.* That such Lords as shall enter their Protestations with Reasons, shall do the same before two a Clock the next sitting Day, and sign them before the House rises) a standing Order of this House, and that the same be enter'd on the Roll of standing Orders, instead of the Order of the 5th of *March 1641.*

And the said Order being read; after Debate, the Question was put, whether the said Order shall be made a standing Order of this House, and enter'd on the Roll of standing Orders, instead of the said Order of the 5th of *March 1641*, which being resolv'd in the Affirmative, several Lords enter'd the following Protest, *viz.*

*Dissentient:*

I. **F**OR that the standing Order, in relation to the Time of entering Protestations, was made above eighty Years since, and was restrictive of an ancient Right; and yet in all that Time, till now, has never been thought not to have restrain'd that Right enough; but on the contrary, whenever longer Time, than is allow'd by that Order, has been ask'd, as it has been done in innumerable Instances, it was never once deny'd; (as we believe) which shews, that the constant Opinion of this House has hitherto been, that the Restraint brought upon that ancient Right of the Lords, by that old Order, has been rather too much, than too little.

II. The abridging the Right of Protesting with Reasons, will yet more necessarily cause the Reasons to be penn'd with less Accuracy, and probably longer than they would have been, had more Time been allow'd; which though it may gratify those who differ in Opinion from the Protesters, yet will hurt the Honour of the House, as we conceive, and the Dignity of the Records thereof; for we can by no Means allow, that as much Time should not be afforded to word the Lords Reasons, which are to be enter'd on the Journal, as would be necessary to the wording of a Pamphlet design'd to be printed and publish'd.

III. Because we conceive, that if this farther Restraint does not render the Protesting quite impracticable, yet it must prove very inconvenient and troublesome to the Lords, who would make use of that their undoubted Right; for if a Debate should take up any long Time, as  
*most*

most Debates of Consequence should do, the intermediate Time allow'd, is, in our Opinion, not sufficient for Lords, who design to protest, to meet and bring their several Reasons together, and afterwards express them with that Clearness, and so unexceptionable as they ought to do; and besides, get them fairly and correctly enter'd on the Journal; so that, in our Opinion, they must very often either be excluded from entering and signing their Reasons, or endure a great deal of Hardship and Inconvenience, by denying themselves usual Rest and Refreshment, (as is very obvious without farther Explanation) and be oblig'd to come long before their ordinary Duty of attending the Business of the House requires; so that we conceive this new Restraint will either hinder the Protesting with Reasons, or amount to a Kind of Punishment on those Lords, who shall make Use of their ancient and undoubted Right of Protesting.

IV. There seems to us less Reason for this Step, because if the Liberty of entering Protestations with Reasons, be in any Degree abus'd, the House can and does order them, or such Parts of them, as can be reasonably objected to, to be expung'd: And this Observation is yet stronger, for that, of late, Precedents have been made of expunging a great Number of Reasons, and of a various Nature, by one general Question, which is a very expeditious Remedy for any Abuse that can happen.

V. If ever there should be a Time when the utmost Candour and Fairness is less in use than at present, this new Restriction on the Right of Protesting with Reasons, may open a Gap to many Artifices and unfair Practices in Prejudice of that Right. Clerks may come later than usual, pretend other Business, or write slower, or use other Shifts, to avoid perfecting the Entry of the Reasons, till after the Time allow'd, especially if they shall think, though falsely, they gratify a Majority of the House by so doing, which will make them at least hope for Impunity, or if not so disposed, they may on the other Hand be induc'd, and not unreasonably, to write faster, and more loosely than will become the Journal of this House, that the Entry may be finish'd within the Time limited. We do not pretend to enumerate all the Ways of making this Alteration of the old standing Order more inconvenient than appears at first Sight, but only specify these few.

VI. We do not think the Right of entering Protestations with Reasons has been of late abus'd, so as to give  
Occasion

Occasion for this new Restriction, though it may have been used, of late, more frequently than formerly; for which, according to our Opinions, there hath been very proper Occasions given; and since we cannot but think the Right of Protesting with Reasons a valuable and useful Privilege, we must confess our Fears, lest these Restrictions, though not now intended so, should End, at length, in a total Extinction of that Right.

W. Ebor.

Fr. Cestriens.

Uxbridge,

Bathurst,

Cowper,

St. John de Bletsoe.

Strafford,

Bristol,

Boyle,

Aberdeen,

Litchfield,

North and Grey,

Fr. Roffen.

Weston,

Foley,

Trevor.

Then the Order was read for taking into Consideration the Protests enter'd on the Journal of this House, on the 19th and 20th Days of February last; and the several Reasons in the Protest enter'd the 19th of February last, against putting off the farther Consideration of the Causes of contracting so large a Navy-Debt for three Weeks, being read, it was propos'd, that from the Word [*specify'd*] in the tenth Line of the fourth Reason, to the End of the said Protestation, be expung'd. And it being mov'd to adjourn, the Question was put, whether this House shall be now adjourn'd till Monday Morning next, it was resolv'd in the Negative. Then the Question was put, whether all that is contain'd in the said Protest after the Word [*specify'd*] in the tenth Line of the fourth Reason, shall be expung'd, it was resolv'd in the Affirmative.

#### *Dissentient.*

**B**Ecause when we were giving Reasons against putting off the farther Consideration of the Causes of contracting the Navy-Debt, by long Adjournments, probably for the whole Session, as we thought no Reason could be more proper, than that the Subject-Matter of that Enquiry was not exhausted, but that very material Business remain'd to be consider'd on that Head; so we did, and do yet conceive, that the following the General Assertion, with an Enumeration of the particular Matters, which yet did remain to be enquir'd into, as well such as arose from Papers already before the House, as others, which we are well assur'd would arise in the farther Progress of that Business, (from Papers design'd to be call'd for) did make

make the said general Argument, which stands expung'd, more strong, as well as more fair and candid, by shewing it was well founded on Particulars: And altho' the House has not thought fit to print the said Enumeration of Particulars, to stand on the Journal, yet, we conceive, we have attain'd this Advantage by having enter'd them, that it cannot be objected to us now, that we generally affirm'd more Business of Consequence remain'd for that Committee to do, without being able to Instance or Specify what in particular.

<i>W. Ebor.</i>	<i>Strafford,</i>	<i>North and Grey,</i>
<i>Fr. Cestriens.</i>	<i>Bristol,</i>	<i>Fr. Rossen.</i>
<i>Uxbridge,</i>	<i>Boyle,</i>	<i>Weston,</i>
<i>Bathurst,</i>	<i>Aberdeen,</i>	<i>Foley,</i>
<i>Cowper,</i>	<i>Litchfield,</i>	<i>Trevor.</i>
<i>St. John de Bleset,</i>		

Then the Reasons for the Protestation enter'd the 20th of February last, on Consideration of the State of the national Debt being read; and the Question being put, whether the entire Reasons for the said Protestation shall be expung'd, it was resolv'd in the Affirmative.

*Dissentient.*

**B**ECAUSE, we conceive, there is no Instance of expunging the Reasons of a Protest, unless they were thought to contain something indecent to the House, or alleg'd Matters of Fact that were false. The first is not presum'd in the present Case; and as to the second, the Matter depending upon Figures, there can be no Dispute, but upon the Method of Calculation; and if the Lords, who sign'd the Protest, did chuse to follow the Method observ'd by the Officers of the *Exchequer*, rather than any other, we do not conceive their Reasons founded on such Authority, deserv'd to be expung'd; neither do we think the said Lords were oblig'd to make Deductions from the *Exchequer* Accompts which were laid before the House, without making the proper Addition at the same Time: For it must be agreed, that if the Debt stated in 1717 was but 47 Millions 800000*l.* and in the Year 1720 above 50 Millions, the bringing the Annuities into the *South-Sea* Company, may occasion an Increase of about two Millions and a Half, and the Army Debentures, not yet brought to Account, are estimated at about half a Million more, and



and the Debt of the Navy, is near two Millions; so that the whole appears to be about 55 Millions, and the Increase of the National Debt, since it was stated in 1717, might therefore be reckon'd about seven Millions; and deducting the Million of *Exchequer-Bills* lent to the *South-Sea Company*, the real Increase of the National Debt, above what it was stated at in the Year 1717, appears to us, at this Time, about six Millions: But as the Reasons were founded on the Account laid before the House, which kept in the Million of *Exchequer-Bills* as a Debt, and excluded all the other Articles, we conceive they ought not to have been expung'd, since the under-reckoning the Debt was not the Objection made against them.

<i>F. Cestriens.</i>	<i>Stratford,</i>	<i>Guildford,</i>
<i>Uxbridge,</i>	<i>Bristol,</i>	<i>North and Grey,</i>
<i>Bathurst,</i>	<i>Boyle,</i>	<i>Fr. Rossen.</i>
<i>Comper,</i>	<i>Aberdeen,</i>	<i>Weston,</i>
<i>St. John de Blotfoe,</i>	<i>Litchfield,</i>	<i>Poley.</i>
<i>Trevor,</i>		

On the 5th of *March* the Order was read for taking into Consideration the Protestation enter'd in the Journal of this House the 17th of *January* last: And the several Reasons for the said Protestation being read; after Debate, the Question was put, whether the entire Entry of the Reasons, for the said Protestation on the 17th of *January* last shall be expung'd, which being resolv'd in the Affirmative, several Lords enter'd the following Protest, viz.

*Dissentient.*

**B**ECAUSE former Reasons enter'd against some late Resolutions for expunging, do, as we conceive, equally extend to justify our Dissent to this Resolution, and therefore to avoid Repetition, we refer to those Reasons, with this farther, that we do not find, and believe there is not any Precedent, wherein Reasons for a Protestation have been taken into Consideration by the House so long after they were enter'd, as in the present Case; and the Inconveniencies of doing so, are, in our Opinion, very manifest.

<i>Stratford,</i>	<i>Craven,</i>	<i>North and Grey,</i>
<i>Uxbridge,</i>	<i>Guildford,</i>	<i>Bathurst,</i>
<i>Boyle,</i>	<i>Litchfield,</i>	<i>St. John de Blotfoe,</i>
<i>Manjoy,</i>	<i>Poley,</i>	<i>Aberdeen,</i>
<i>Fr. Cestriens.</i>	<i>Comper,</i>	<i>Fr. Rossen.</i>

On the 7th of *March*, the King went to the House of Peers with the usual State and Solemnity, and the Commons being sent for up, and attending, their Speaker, upon presenting the Money Bill, made the following Speech to his Majesty, *viz.*

*Most gracious Sovereign,*

**T**HIS is the Seventh Year in which your Majesty's faithful Commons, without burthēning your People with any new or unusual Taxes, have readily and cheerfully granted to your Majesty the necessary Supplies, not only for carrying on the ordinary Expences of the Government, but for maintaining the Honour and Dignity of the Crown; and, at the same Time, they have omitted no Opportunity of easing the publick Incumbrances, and of putting the national Debt into a Method of Payment; for no sooner had your Majesty, by the Vigilance of your Councils, and the Success of your Arms, restor'd and secur'd the publick Peace and Tranquillity, but your Commons immediately found Means to reduce the Interest of the national Debt, and thereby set apart a Fund, which, by a farther Reduction of Interest since made by your Commons, will, in a few Years, be considerably increas'd, and the Payment of the Principal become practicable; and from which your Majesty's trading Subjects have already reap'd this immediate Benefit, that your Commons have been enabled, during this Session, without endangering the Security of any Parliamentary Engagements, to take off such Duties as were found by Experience to be most prejudicial to the Trade and Manufactures of your Kingdoms. And as your Commons were apprehensive, that the Debt of the Navy was rising to such an Height, as would, if not timely prevented, necessarily affect and depreciate all other publick Credit, and which would inevitably increase the Charge and Expence of the current Service; they have therefore unanimously agreed on such Methods of discharging so much of that Debt, as will effectually prevent the Mischiefs they apprehended, and can be no Ways burthensome to their Fellow-Subjects.

Thus have your Commons fully and happily compleated every Thing which your Majesty was graciously pleas'd to recommend to them at the Beginning of this Session; and whenever your Majesty, in your Royal Wisdom, shall again think it proper to meet your People in Parliament, may they imitate your present House of Commons in our Duty.

Duty and Affection to your Majesty, in our Steadiness and Resolution to support your Government; may they continue, with like Application and Diligence, to extend Trade and Commerce, the true and natural Source of Wealth and Plenty in these Kingdoms; and we should think ourselves happy, if even our Mistakes might be of Service to your Majesty, by being a Warning to those that come after us: And that when the Wisdom of your Majesty's Councils, and the Steadiness of your Administration, shall have restor'd Credit to its former flourishing Condition, they may not grow wanton with too much Prosperity, but may proceed with such Caution and Prudence in their Endeavours to lessen the national Debt, as may put it out of the Power of any Set of Men to produce Misery and Distress, from what shall be propos'd for the Ease and Benefit of your People: And that, by the Blessing and Assistance of Divine Providence, they may so effectually unite the Affections of your People, and firmly establish your Majesty's Throne, *That the Scepter may not depart from your Royal House, nor a Lawgiver from between your Feet!* that the ancient legal Constitution of this Kingdom, in King, Lords, and Commons, may be perpetuated in your Majesty, and your Royal Posterity, till Time shall be no more.

Your Majesty having been, at different Times, in the Course of this Session, graciously pleas'd to accept such Supplies, as your Commons offer'd to your Majesty for the Service of this Year, they do now humbly pray your Majesty's like gracious Acceptance of a Bill they have prepar'd for discharging the Debt of the Navy, entitl'd, *An Act for paying off and cancelling One Million of Exchequer-Bills, &c.*

After this the King gave the Royal Assent to the following publick Acts, viz.

1. *An Act for paying off and cancelling One Million of Exchequer-Bills, and to give Ease to the South-Sea Company in Respect of its present Obligation to circulate, or contribute towards circulating Exchequer-Bills, and to give farther Time to that Company for Repayment of One Million which was lent them; and for issuing a farther Sum in new Exchequer-Bills, towards his Majesty's Suppy, to be discharg'd and cancell'd when the said Company shall repay the Million owing by them; and that the Exchequer-Bills which are to continue, may be circulated at easy and moderate Rates; and for appropriating*

the Supplies granted to his Majesty in this Session of Parliament; and for Relief of the Sufferers at Nevis and St. Christopher's by an Invasion of the French in the late War; and for laying a farther Duty on Apples imported, and for ascertaining the Duties on Pictures imported.

2. An Act for the Encouragement of the Silk Manufactures of this Kingdom; and for taking off several Duties on Merchandises exported; and for reducing the Duties upon Beaver Skins, Pepper, Mace, Cloves, and Nutmegs imported; and for Importation of all Furs of the Product of the British Plantations into this Kingdom only; and that the two Corporations of Assurance on any Suits brought on their Policies, shall be liable only to single Damages and Costs of Suits.

3. An Act to enable the South-Sea Company to dispose of the Effects in their Hands by Way of Lottery or Subscription, or to sell Part of their Fund or Annuity payable at the Exchequer, in order to pay the Debts of the said Company; and for Relief of such who were intended to have the Benefit of a late Act touching Payment of 10 per Cent. therein mention'd.

4. An Act to prevent the Mischiefs by forging Powers to transfer such Stocks, or to receive such Annuities or Dividends as are therein mention'd, or by fraudulently personating the true Owners thereof; and to rectify Mistakes of the late Managers for taking Subscriptions for increasing the Capital Stock of the South-Sea Company, and in the Instruments fold'd thereupon.

5. An Act for prolonging the Times for hearing and determining Claims before the Trustees, in whom the Estates of the late South-Sea Directors, and of John Aislabe, Esq; and likewise of James Craggs, Esq; deceas'd, are vested; and for other Purposes therein mention'd.

6. An Act to prevent the clandestine running of Goods, and the Danger of Infection thereby; and to prevent Ships breaking their Quarantine; and to subject Copper-Oar, of the Production of the British Plantations, to such Regulations as other enumerated Commodities, of the like Production, are subject.

7. An Act for taking off the Duty upon all Salt used in the curing and making of White-Herrings, and instead thereof laying a proportionable Duty upon all White-Herrings consum'd at Home only; and for making an Allowance for Tobacco exported from Scotland in the Time therein mention'd; and for giving farther Relief to the Refiners of Rock Salt.

8. An Act for the better Recovery of the Penalties inflicted upon Persons who destroy the Game.

9. An

9. *An Act for supplying some Defects in the Statute of the 23d of King Henry VIII, (entitled, An Act for Obligations to be taken by two Chief Justices, the Mayor of the Staple, and the Recorder of London) and for setting down the Time of signing Judgments in the Principality of Wales and Counties Palatine.*

10. *An Act for supplying the Records of the Commissary Court of Aberdeen, burnt or lost in the late Fire there.*

11. *An Act for the more effectual suppressing of Piracy.*

12. *An Act for repairing the Highways from the Stones End at White-Chapel Church in the County of Middlesex, to Shenfield, and to the furthestmost Part of the Parish of Woodford, leading to the Town of Epping in the County of Essex.*

13. *An Act for the better supplying the City and Liberties of Westminster and Parts adjacent with Water.*

14. *An Act for the better preventing Abuses committed in weighing and packing of Butter in the City of York.*

15. *An Act for preventing Delays in the Execution of the Trust repos'd in the Governors of the Hospital of King James founded in Charter-House, at the Charges of Thomas Sutton, Esq; for the Benefit of the said Hospital.*

And to eight private Bills.

After which his Majesty was pleas'd to make the following most gracious Speech, by the Mouth of the Chancellor.

*My Lords and Gentlemen,*

**Y**OU could not have given me a more acceptable Instance of your Zeal and Affection, than by dispatching, with so much Unanimity, the several Particulars I recommended to you at the Beginning of this Session, for the Ease and Advantage of my People.

The many and great Encouragements you have given to our Trade and Manufactures, and the Provision you have made for our being supply'd with naval Stores from our own Plantations, will, I make no doubt, excite the Industry of my Subjects, employ a greater Number of the Poor, encrease our Navigation, and be a considerable Addition to the Riches and Strength of this Nation.

*Gentlemen of the House of Commons,*

The raising the current Supplies of the Year, and the making a Provision for the Discharge of so considerable a Part of the Debt of the Navy, is a farther

ther Proof of your Affection to me, and your Regard for the Publick; and your doing it in a Manner so little Burthenfome to my People, gives me the greatest Satisfaction.

*My Lords and Gentlemen,*

I cannot in Justice part with this Parliament, without returning you my sincerest Thanks, for your steady and resolute Adherence to my Person and Government, and to the Interest of the Protestant Cause, both at Home and Abroad. The Enemies of our happy Constitution have given the strongest and most honourable Testimony of your Behaviour in these Particulars, by the implacable Malice which they have, upon all Occasions, express'd against you.

You must all be sensible, that they are, at this Juncture, reviving, with the greatest Industry, the same wicked Arts of Calumny and Defamation, which have been the constant Preludes to publick Troubles and Disorders; and such is their Insatiation; that they flatter themselves the grossest Misrepresentations will turn to their Advantage, and give them an Opportunity of recommending themselves to the Favour and good Opinion of my People; but I have so just a Confidence in the Affection of my Subjects, and in their Regard for their own Welfare, that I am perswaded they will not suffer themselves to be thus impos'd upon, and betray'd into their own Destruction.

For my Part, as the Preservation of the Constitution in Church and State shall always be my Care, I am firmly determin'd to continue to countenance such as have manifested their Zeal for the present Establishment, and have the religious and civil Rights of all my Subjects truly at Heart; and I question not but that Behaviour, which has justly recommended them to me, will effectually secure to them the Good-will of all that are well affected to my Government; and will convince the World, that the Expectations of those are very ill grounded, who hope to prevail with a Protestant free People, to give up their Religion and Liberties into the Hands of such as are Enemies to both.

And then the Lord Chancellor, by his Majesty's Command, said,

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My Lords and Gentlemen,

**I**T is his Majesty's Will and Pleasure, that this Parliament be prorog'd to Thursday the 15th Day of this Instant March; and this Parliament is accordingly prorog'd to Thursday the 15th Day of this Instant March.

Three Days after, viz. March 10, the King in Council, a Proclamation was sign'd, and publish'd that very Day, for dissolving the present Parliament, and declaring the speedy calling another. Accordingly on the 13th of March two other Proclamations were sign'd, and publish'd, one for calling a new Parliament, the Writs to bear Teste the 14th of this Instant March, and be returnable on Thursday the 10th of May next following; the other, in order to the electing and summoning the Sixteen Scotch Peers.

The Evening on which the Proclamation for dissolving the Septennial Parliament was publish'd, the Cities of London and Westminster express'd their Joy by Bonfires, Illuminations, and Ringing of Bells, looking upon it as an extraordinary Deliverance.

The following remarkable Speech, made by Mr. Archibald Hutcheson in the House of Commons, on the 22d of January, when the Bill for the better securing the Freedom of Elections of Members to serve for the Commons in Parliament, &c. (which Bill he had brought into the House) was committed, not being come to our Hands, when we gave an Account of the Proceedings of that Day, in Page 109 of this Register, and of its being rejected by the House of Lords, in Page 123, 'tis thought fit to insert it in this Place, as follows.

*Mr. Speaker,*

**T**H<sup>O</sup> I think the Necessity of the Bill which has been read to you, is of itself a sufficient Argument for it, yet since I was one of those who had the Honour of your Commands for bringing it in, it may, perhaps, be expected that I should say something upon it. As therefore there is too much Reason to apprehend, that this is the last Struggle you are ever like to have for the Preservation of your Rights and Liberties; so certainly the Efforts of every honest Man are more than ordinary requisite at this critical Juncture, to procure, if it be possible, the Choice of a free and independent Parliament, that being the only Means, under Providence, which can save



save you from that State of Ruin and Confusion, which seems so immediately to threaten, and to be hanging over you. If you should have the Misfortune to miscarry, and that the Majority of this House should hereafter be compos'd of Persons, who have Views and Schemes to pursue, repugnant to the common Good and Ease of their Country, what else must you then expect, but the Continuance at least, if not the Increase, of those heavy Burthens you have already upon you, and at every Turn to see the Honour and Sanction of Parliament basely prostituted to the destructive Measures of those, who shall then happen to be in Power, which, without other Means of Violence, could not be justify'd and supported? If you should be plung'd into an unnecessary and expensive War, if your Trade and Interest should be sacrific'd for the Service of other Princes, and it may be, that done too, only to engage them to the Concession of foreign Provinces and Acquisitions, in which *Britain* has not the least Concern, what Redress could our Country hope for (even under such Grievances) from Patriots who had themselves contributed towards them, or were the mercenary Tools and Dependants of those who had? All Manner of Licentiousness and publick Frauds would then have their open and avow'd Advocates; and it would be no Wonder to see the greatest Criminals escape unpunish'd, when the Power of Remission and Pardon of Crimes were so much in their own Hands.

It is too notorious what Attempts are now carrying on to invade the Freedom of your approaching Elections; in some Places by Threats, to fill and over-awe them with the quartering of Troops, if they do not comply; in others, by the corrupt Solicitations of Agents and Undertakers, employ'd by those, who, from the incredible Sums which are dispers'd, one must imagine, have more than private Purse at their command.

But what, in God's Name, can all this tend to? What other Construction can any Man in common Sense put upon all these Things, but that there seems to have been a form'd Design, by Violence and Oppression, first to humble you, and to make your Necks pliable to the Yoke that is design'd for them, and then, to finish the Work, by tempting the Poverty and Necessities of the People, to sell themselves into the most abject and detestable Slavery, for that very Money which had been either unnecessarily rais'd, or mercilessly and unjustly plunder'd and torn from their

their very Bowels? And thus you may be in a fair Way, of being subdu'd by your own Weapons. Nor can I imagine what Inducement Men can have, who run from Borough to Borough, and purchase their Elections at such extravagant Rates, unless it be from a strong Expectation of being well repaid for their Votes, and of receiving ample Recompence and Rewards for the secret Service they have covenanted to perform here. In this Situation, it is high Time for Gentlemen to put themselves upon their Guard; and if it be not already too late, to endeavour to put a Stop to the Course of those Evils, which are otherwise likely so soon to overtake them. It is for these Purposes that this Bill is now before you, and I hope it either is, or by your Assistance will be made such, as may fully answer the Ends for which you were pleas'd to order it to be brought in.

The Abuses in the Manner of dispatching your Writs to the Sheriffs, especially what appear'd to you on a late Occasion, were the Motives which first led you into this Consideration. I am perswaded the Method here prescrib'd to regulate that Matter, will be found so easy and practicable, and so little liable to any Objection, that it would be needless in me to take up your Time in enlarging upon that Head: But for the Penalties upon false Returns, unless they are settled on the severest and most rigorous Terms, it will be in vain for you to contend with Sheriffs and returning Officers, who, instead of the People, in whom the Right is, and ought to be lodg'd, will draw the whole Power of Elections into their own Hands, and therefore they ought to be tyed up to such strict Rules, as that they shall never dare, upon any Account whatsoever, to depart from them, much less to be subject to those Sort of Influences, which, of all others, you have most Reason to be jealous of. We know, that Persons heretofore have not only brib'd the returning Officer, but have even indemnify'd him against the whole Penalty of Five Hundred Pounds, rather than not get the Return, right or wrong, in Favour of themselves; depending, I suppose, upon the Strength and Partiality of their Friends, to maintain them, at any Rate, in the unjustifiable Possession of a Seat here; this has been practis'd upon former Occasions, and therefore there is always just Grounds to suspect it will be attempted again. And it is now come to such a Pass, that if you were even to double that Penalty, without doing something else, I am afraid it would have little or no Effect. But when all those Bonds of In-

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demnity are declar'd null and void, when the Securities usually given and taken upon these Occasions are withdrawn, they may then, perhaps, be deterr'd, at least from so barefac'd a Practice of these arbitrary and illegal Proceedings for the future.

Another Expedient for securing the Freedom of your Elections, and which, I think, will more effectually contribute towards it, than any one Thing whatsoever, is the annulling the Votes of those Swarms of Officers in the Customs and Excise; they are already subjected to the Penalty of One Hundred Pounds, if they shall presume to intermeddle; this therefore is no more than a natural Consequence, and a necessary Enforcement of what you have done before. The Commissioners themselves of those Branches of the Revenue, have been for some Time under a legal Incapacity of sitting here, as being thought under such strong Ties and Influences, in regard to their Employments, as were inconsistent with that Freedom which Men ought to act in Parliament; certainly then the same Reason will hold good as to the Votes of them and their inferior Officers, especially in Matters that so nearly relate to it. There is likewise a Proviso, that no Person shall be capable of possessing any of these Offices for a certain Time to be limited, after they shall have tender'd their Votes in any Election; and the Reason of that is very plain, without it, all this Disability would signify nothing; for by displacing them just to serve a Turn, and restoring them again immediately after, the whole Force of this Clause would be entirely defeated.

I make no doubt but the Intention was very just and commendable of the Gentlemen who brought in the Qualification Act, which was certainly design'd to establish a landed Property in Parliament, without which, I will venture to say, it will be impossible you should be safe; but that Matter stands at present upon so loose a Foot, that I am afraid it has hitherto been of very little Use or Service to you. What Dependance, for Instance, can you have upon a Man who has no more than Three Hundred Pound a Year in Land, or, perhaps, only an Annuity of that Value for Life, and has at the same Time Thirty or Forty Thousand Pounds in the Funds, or an Employment of Two or Three Thousand Pounds a Year Civil or Military from the Crown? And even that small Qualification is no otherwise obligatory upon him, but merely to swear to his having it, if it be requir'd, at the

the Time of his Election; for tho' he sells it, or otherwise divests himself of it immediately after, yet it remains a Doubt, whether, by so doing, he shall vacate his Seat in Parliament. This is certainly such an Omission as requires to be better regulated and explain'd. There is likewise a Saving in that Act in Favour of eldest Sons of Peers, and the same for those of Commoners of Six Hundred Pounds a Year; but I confess I am at a Loss to find out upon what Grounds the latter was inserted, unless Care had been taken at the same Time to have oblig'd the Father or the Son to have prov'd the Possession of such an Estate; for at present, let the Circumstances of the Family be what they will, if the eldest Son can procure himself to be elected, I cannot see but he is entitled to a Seat here, without any farther Examination whatsoever. This is another Defect so gross in your former Act, and opens a Back-Door to so many Persons, so entirely contrary to the Intent and Meaning of it, that it very well justifies the Repeal of it by this Bill, I mean so far only as it relates to the eldest Sons of Commoners.

Whether the House will be willing to enact it by a Clause, must be submitted to them, I only take the Liberty to mention, that it were very much to be wish'd, that Gentlemen of Estates and Families in the Country, would heartily unite in this Particular, of keeping the Elections in their several Counties among themselves; that they would resolve inviolably to support each other's Interest against the Incroachments and corrupt Applications of Strangers, let them come from what Quarter they will. If this were done, it would, in a great Measure, put an End to those dangerous and infamous Practices that are now on Foot, and we might hope once more to see this House fill'd with Gentlemen of free and independent Fortunes, such as would be above making their Court any where at the Expence of their Country, and would despise all Manner of slavish Concessions to Men in Power; Ministers would then be neither able to screen themselves, or their Friends, against your Enquiries; and the boldest and most enterprising of them, would be made to tremble (as the little *Welsh* Judge did the other Day at the Bar) at the Apprehensions of your Animadversions upon them; nor should we then, it is to be hop'd, be tamely here, and see our Country harass'd with the Expences of fruitless Expeditions abroad, and with the

Maintenance of a standing Army at home, dangerous to our Constitution and Liberty.

There are other Parts of your Bill, which I had like to have omitted to have spoken to, which are design'd, if possible, to put a Stop to that Torrent of Bribery and Corruption, which the Iniquity of the Times has let in upon you; and tho' I have very little Prospect of any good Effect that Way, and whatsoever the Fate of this Bill may be, every Gentleman, I dare swear, will so far agree, that some Method should be taken to prevent such Practices, or the Kingdom must be undone. If at this Time you had Men at the Head of your Administration, who had ever been charg'd with, or any Way convicted of such Crimes, I own it would be in vain to propose this, or any other Method, to punish and discourage it. Were it possible to believe, that the Influences of such Men could prevail here, or in any other Branch of the Legislature, it would then be no Wonder to see this Bill miscarry, or to hear it treated as a Composition of Absurdities, or as a Violation of the Birth Rights of great Numbers of his Majesty's best Subjects. But at present this shall be no Reason with me to anticipate so much ill Fortune to it, since it is plain it could come before you with no other View, but to restore the Freedom and Honour of Parliament, to rescue the Rights and Liberties of our Country, and to save, if it be possible, the poor Remnant of our Constitution. These are the Considerations which occur to me in Favour of this Bill; and I humbly move you that it may be committed.

About the Beginning of *May*, a Discovery was made of an horrid Conspiracy that was carrying on against his Majesty's Government, and many and various were the Reports concerning it; but most of them being uncertain, and perhaps groundless, are foreign to the Purpose of this Register, in which we profess to record only Matters undoubtedly true, and therefore shall give no other Account of this Conspiracy, but what is contain'd in the following Letter, which was written by the King's Command.

*A Letter from the Right Honourable the Lord Viscount Townshend, one of his Majesty's Principal Secretaries of State, to the Right Honourable the Lord Mayor of London.*

*My Lord,*

*Whitehall, May 8, 1722.*

**H**IS Majesty having nothing more at Heart than the Peace and Safety of his good City of London, the Protection of its Inhabitants, and the Support of Publick Credit, has commanded me to acquaint your Lordship, that he has receiv'd repeated and unquestionable Advices, that several of his Subjects, forgetting the Allegiance they owe to his Majesty, as well as the natural Love they ought to bear to their Country, have enter'd into a wicked Conspiracy, in concert with Traitors abroad, for raising a Rebellion in this Kingdom in Favour of a Popish Pretender, with a traiterous Design to overthrow our excellent Constitution both in Church and State, and to subject a Protestant free People to Tyranny and Superstition; but I am perswaded, that it will be a great Satisfaction to your Lordship and the City to find, that at the same Time that I am order'd to inform you of this Design, I am likewise commanded by his Majesty to let you know, that it is firmly assur'd, that the Authors of it neither are, nor will be supported, nor even countenanc'd by any foreign Power. And as his Majesty has had timely Notice of their wicked Machinations, and has made the proper Dispositions for defeating them, he has no Reason to doubt, but by the Continuance of the Blessing of Almighty God, and the ready Assistance of his faithful Subjects, this Effort of the Malice of his Enemies will be turn'd to their own Confusion.

His Majesty makes no doubt, but your Lordship, pursuant to the Trust repos'd in you, will, in Conjunction with the other Magistrates of his good City of London, exert, with the utmost Care and Vigilance, your Authority at so important a Conjuncture, for the Preservation of the publick Peace, and the Security of the City.

*I am, &c.*

TOWNSHEND.

The next Day after the Receipt of this Letter, being the 9th of May, the Lord Mayor, Aldermen, Sheriffs, and Recorder of London, presented the following Address to his Majesty.

To

To the King's most Excellent Majesty.

*The humble Address of the Lord Mayor and Court of Aldermen of the City of London.*

*Most gracious Sovereign,*

**Y**OUR Majesty having been graciously pleas'd to signify to the Lord Mayor, how much you have at Heart the Peace and Safety of your City of London, the Protection of its Inhabitants, and the Support of Publick Credit; and that your Majesty has unquestionable Advices of a wicked Conspiracy, enter'd into by some of your Majesty's Subjects, in Concert with Traitors abroad, for raising a Rebellion in this Kingdom, in Favour of a Popish Pretender to your Majesty's Crown.

We the Lord Mayor and Court of Aldermen of this City, most humbly intreat your Majesty's Permission, to make this our immediate Approach to your Royal Presence, that we may return our most humble and unfeigned Thanks, for this Instance of your Majesty's tender and indulgent Regard to your faithful and dutiful Subjects of this City, and that we may have Leave to give your Majesty Assurances of our steady and unalterable Affection and Zeal for your Royal Person and Government, and for the Continuance of the Protestant Succession in your Royal Family.

And it is an unspeakable Satisfaction to us, that we can at the same Time congratulate your Majesty on the happy Success of those Negotiations, which have procur'd Assurances, that these wicked and traiterous Purposes will not be supported or countenanc'd by any foreign Power.

When we reflect on the many Blessings which Britons enjoy, under the Protection of a Prince, who makes the Laws of this Land his Rule for the Government of his People, when we consider that neither the Civil, or Religious Rights of your Majesty's Subjects have met with the least Instance of Violation, since your Majesty's happy Accession to the Throne of these Realms, when we recollect your Majesty's Royal Clemency and Benevolence, (since the last Rebellion) to Numbers of those who had offended, in the highest Degree, against their King, and the Laws of their Country, we cannot but express the utmost Abhorrence of those vile and detestable Persons, who shall again conspire and attempt to bring a free and happy



happy People under the Yoke and Tyranny of Superstition, and to involve this Nation in a State of Blood, Misery, and utmost Confusion.

And as these must be the unavoidable Consequences attending any Enterprize to alter our present happy Establishment, and to introduce a Popish one;

As *Englishmen* that value our Liberties, as honest Men that have sworn Allegiance to your Majesty, and who have abjur'd and renounc'd the Pretender, and as real Friends to our excellent Constitution in Church and State, (with a Protestant Prince at the Head of it) we beg Leave, in the most solemn Manner, to declare to your Majesty, that as we are bound in Gratitude, we will exert ourselves in our several Stations, with the utmost Care and Vigilance, for the Preservation of the publick Peace and Tranquillity, and for the restoring of publick Credit; and that we will use our sincere and hearty Endeavours for the firm Support of your Majesty upon the Throne, and for the making your Reign easy and happy.

And we doubt not, but by the Blessing of Almighty God upon the Wisdom and Conduct of your Majesty, and the Vigilance of your Councils, and the ready and cheerful Assistance of your Majesty's faithful Subjects, your Majesty will entirely defeat and frustrate the Malice and Efforts of all your Enemies, their Aiders and Abettors, and that their wicked Machinations will be turn'd to their own Confusion.

*Seracy.*

To which his Majesty was pleas'd to return the following most gracious Answer.

**Y**OUR affectionate and cordial Assurances, upon this important Occasion, of an unshaken Zeal and Fidelity to my Person and Government, give me the greatest Satisfaction.

Your Interest and mine are, and ever must be inseparable, and I doubt not but that, with the Blessing of God, the Precautions I have taken, and your firm Adherence to our just Cause will soon convince our Enemies, that their wicked Designs can end in nothing but their own Confusion.

You may depend upon my constant Care and utmost Endeavours to support the publick Credit, to protect the Privileges and Properties of this great and opulent City, and to maintain the Religion, Laws, and Liberties of this Kingdom.

Towards

Towards the End of *March*, the People call'd *Quakers*, presented the following Address to his Majesty, expressing their Thankfulness for the Act pass'd the last Session in their Favour; of which a full Account has been given in this, and the next preceding *Registers*.

To *GEORGE* King of Great Britain, &c.

*The humble Address of his Protestant Subjects, call'd Quakers, in London.*

*Excellent and Renowned Prince,*

THE gracious Favour, and legal Relief which hath so lately been granted to us, whereby such of our Friends, as were subjected to Difficulty, Suffering, or Hindrance in their Business, or Civil Concerns, are now made easy, do lay us under the greatest Sense of Duty and Thankfulness to acknowledge the same.

The Necessity of many of our Brethren, the mutual Desire of Peace and Harmony in all, (Reasons in themselves powerful, when exercised only in human Affairs, but more so when referred to religious Concerns) were our common Inducement to petition for this Relief, which the Legislature hath been graciously pleased to grant us; and which, after putting up due Praises to Almighty God, highly calls for the Tribute of our humble Thanks to the King, whom we justly do esteem Father of his Country, a Lover of Mankind, and Defender of their civil and religious Rights, not only in his own Dominions, but also, by a Christian Interposition, with other Princes on the Behalf of their oppressed Subjects.

These are princely Qualities, in themselves amiable, and which must render the King renowned, in future, as well as present Annals, and give him the glorious Satisfaction, that herein he hath for Pattern the Father of the Universe, the God of Peace.

Our earnest Petitions to the Almighty are, that thou, Great Prince, may'st long enjoy the pleasant Fruit of that Peace thou hast been instrumental to establish at Home and Abroad, and with Ease and Delight govern a happy, thankful, and free People; and, by thy Royal Issue, transmit those inestimable Blessings to later Posterity.

## His Majesty's most gracious Answer.

I Thank you for this dutiful Address. I readily gave my Assent to the Act pass'd in your Favour, being convinc'd by your past Conduct, that you would make no other than an honest and conscientious Use of this farther Indulgence given you.

The barbarous and scarce to be paralleld Attempt made on the Person of *Edward Crispe* of *Bury St. Edmund's* in the County of *Suffolk*, Esq; on the first Day of *January* last, by *Arundel Coke*, Esq; Barrister at Law, and *John Woodburn*, Labourer, both of the said *Bury St. Edmund's* has made so much Noise, that it will not be amiss to give a particular Account of their Trial and Condemnation, at the Assizes for the County of *Suffolk*, held at *Bury St. Edmund's*, *March 13, 1721*.

They were indicted on the Statute of 22 & 23 Car II. Cap. 1. commonly call'd the *Coventry Act*, on the following Occasion. On the 21st of *December*, in the Year 1670, *Sir Thomas Sandys*, Kt. *Charles Obryan*, Esq; *Simon Parry*, and *Miles Reeves*, with several others, some on Horseback, others on Foot, made a violent and unhuman Attempt on *Sir John Coventry*, Knight of the *Bath*, one of the Principal Secretaries of State, and Member of the House of Commons, and upon his Servant *William Wykes*, whereby they lost several Goods; and the said *Sir John Coventry* receiv'd divers Wounds, some of which were given him in such barbarous Manner, that some of the Offenders held him, whilst others wounded him: For this Offence Bills of Indictment of Felony and Robbery were found against them by the Grand Jury for the City and Liberty of *Westminster*: But they having fled from Justice, not daring to abide a legal Trial, the Parliament being then sitting, made an Act, That if they did not surrender themselves by such a Day, nam'd in the Act, they should suffer perpetual Exile, and be for ever banish'd from all his Majesty's Dominions; and if they return'd after the Day, then they should be adjudg'd to be convicted of the said Felonies and Robberies without Benefit of Clergy: So far the Act relates only to them; but by the last Clause enacted,

That if any Person, after *June 24, 1721*, on Purpose, and of Malice forethought, and by lying in wait, shall unlawfully cut out or disable the Tongue, slit the Nose,

‘ cut off a Nose or Lip, or cut off or disable any Limb  
 ‘ or Member of any Subject of his Majesty, with Inten-  
 ‘ tion, in so doing, to maim or disfigure in any the Man-  
 ‘ ners before mention’d, such his Majesty’s Subject; that  
 ‘ then, and in every such Case, the Person or Persons so  
 ‘ offending, their Counsellors, Aiders, and Abettors,  
 ‘ (knowing of and privy to the Offence as aforesaid)  
 ‘ shall be, and are declar’d to be Felons, and shall suffer  
 ‘ Death as in Case of Felony, without Benefit of  
 ‘ Clergy.

Upon this Clause of the Act it was, that *Coke* and *Woodburn* were indicted, and brought to Trial, as was said above, at the Assizes at *Bury*, on the 13th of *March*. The Evidence against them were, first,

*Mr. Crispe*, who said, He was invited by *Mr. Coke*, who marry’d his Sister, together with *Mr. Brown* of *Bury*, who marry’d *Mr. Coke*’s Sister, to bring their Families and sup with *Mr. Coke* on the 1st of *January* last. That after Supper, about Ten at Night, *Mr. Coke* call’d him out, to go see *Mrs. Fanny Monk*, as pretended; that they took three or four Turns before her House, (which was in the Church-yard) and then *Coke* whistled; whereupon he was a little alarm’d; but *Coke* taking hold of him, said, stand, my Brother, and immediately he felt a Blow from behind, and saw that it was another Person, not *Coke*, that struck him. A second Blow following, knock’d him down, and he knew not what was done after that. Being ask’d by *Coke*, Whether he was by when he was knock’d down? *Crispe* answer’d, That *Coke* was close by as long as his Senses lasted. Being ask’d by Council, Whether any, and what Estate or Advantage would have fallen to *Coke* by such his untimely Death? He said, somewhat more than 100*l.* a Year.

Then *Mr. Brown* was call’d, who depos’d, That he and his Family were that Night at *Coke*’s; the Women were above at Cards; he, *Crispe*, and *Coke*, below in the Parlour. About Ten, *Coke* went out, and beckn’d *Crispe*, who follow’d. *Coke* in 10 Minutes return’d alone, somewhat out of Breath, as he thought, took a Glass of Wine and drank to him, and then another: That *Mr. (Brown)* ask’d what was become of *Crispe*. *Coke* answer’d, He blunder’d Home in the Dark: That soon after *Crispe* came in that sad Condition. *Coke* seem’d in great Concernation, and express’d himself concern’d, that such an Accident should happen when he invited him to supper.

Mr.

Mr. *Sturgeon*, the Surgeon, depos'd, That being sent for, he came to Mr. *Crispe* at *Coke's* about Eleven, found him wretchedly cut in seven Places; first, from the right Ear thro' the Cheek to the Upper Lip, just under the Nose, whereby his Teeth were laid bare, the Jaw-Bone damag'd, and his Cheek hanging down to his Shoulder; another on the double Chin, a very deep Wound, from the Extremity of one Jaw-Bone to another. It will be too tedious to describe the other Wounds, only that on the Nose, because it was the Gift of the Indictment. It was not downwards, nor quite overthwart; for the Ridge of the Nose was not touch'd; only on the right Side of the Nose, where the Nostril begins to stand out, it was cut through, so as one might see into the Nostril; but neither Bone nor Gristle was cut or damnify'd. The Wounds not heal'd, were all open'd, and shown to the Court and Jury.

*Willet*, the Constable, depos'd, that he took up *Woodburn* upon *Coke's* Discovery; that then *Woodburn* confess'd, and told him where the Instrument was with which he did this Mischief; and he went and found it accordingly: It was a Wood-Bill, very weighty and sharp, and was produc'd in Court: That *Woodburn* own'd to him he sharpen'd it on Purpose; that *Coke* came out and whistled, and then he went up behind *Crispe* and struck him; that *Crispe* said, God damn it; and that then it went to the very Heart of him, so think he was going to kill a Man that should die with an Oath in his Mouth; but that he follow'd his Blows, and that *Coke* was there the greatest Part of the Time.

*Wetheral*, the Jailer, depos'd, That *Coke* confess'd to him that he set *Woodburn* to work, and deliver'd *Crispe* into his Hands; that he was by till three or four Blows were struck, and then he went away, concluding him to be dead; that if *Woodburn* had not been a cowardly Dog, *Crispe* had never liv'd to prate, if he had but cut his Wzand as he had order'd him.

*Moon*, a Taylor, depos'd, that three Years and a half since, *Coke* was saying to him, that *Crispe* was a good-for-nothing Fellow, and that it was no more Sin to kill him, than to kill a Dog; that his Wife had a Trick at Play, and would spend the Estate, before he and his should come to it. That he did not care if he gave him ten or twenty Guineas to set *Crispe* aside. *Moon* told him, he thought him but in Jest. *Coke* answer'd, That he was in good earnest; why, where's the Sin, added he, in killing such

as one as *Crispe*? He was surpriz'd; but thought no more of it until this Story came out, and then declar'd he could tell who did it, or set other People on work to do it, as recollecting what had past.

*Carter*, a Blacksmith, depos'd, That *Coke* sent *Woodburn* to him, and when he came to *Coke*, *Coke* talk'd a little about Horses, and *Carter* was to help him to one for his Weight; that then *Coke* said, *Carter*, I think you have met with Losses lately, you are in want of Iron and Coals, and are afraid of a Goal; if you will do one Piece of Service for me, I will make a Man of you as long as you live? Can you keep a Secret, one of the biggest in the World? *Carter* assur'd him, as well as any Man, either to serve himself, or Friend. Well then, reply'd *Coke*, Can you cut six or seven Mens Heads off, without making any Conscience of it? *Carter* return'd, That's too much for any Man to bear. *Coke* then ask'd, Whether he should not like him for a Lordlord, and if he thought he could cut one Man's Head off? No. *Pho*, says *Coke*, do you consider what has been doing above, and do you make a Scruple of cutting one Man's Head off? I suppose, said *Carter*, you mean the South-Sea Gentry. I do so, said *Coke*; consider how many Families they have ruin'd, and brought Gentlemen of good Estates to Beggary? Think what it is, continu'd *Coke*, to have Plenty of Iron and Coals, to have all your Debts paid, and be able to look the World in the Face; nay, said *Coke*, you need not work any more as long as you live. If you can't cut a Man's Head off, bring it to me in a Napkin, and lay it on the Table, you are no Man for me. I suppose, Master *Coke*, said *Carter*, you are in Jest. You Fool, says *Coke*, do you think I send for you to Joke with? Consider again, what it is to live well, and come to me two Days hence. *Carter* reply'd, He could do no such Thing. Why then, says *Coke*, send *Woodburn* to me, find him out wherever he is, for I must send him to buy some Larks.

*Woodburn* being ask'd what he could say for himself, laid all the Blame upon *Coke*; that *Coke* had been tempting and soliciting him for several Years past to do it, but he constantly refus'd; that the first Thought he had of complying, was when his Wife dy'd, and he was a Crown to set out the Bell for her. That that Morning when the Fact was done, *Coke* came to him several Times, encourag'd him, and kept up his Heart, by giving him

Pleasures