

Places, where he or they shall so suspect any such Tobacco to be fraudulently hid or concealed, and to all such Tobacco as shall be then and there found so fraudulently hid or concealed as together with

And if any Person or Persons whatsoever shall let, obstruct, or hinder any of the said Officers from entering such suspected Place or Places, or in the Tobacco which shall be therein found to be so fraudulently hid or concealed, or the said Person or Persons offending therein shall, for every such Offence the Sum of

And be it enacted by the Authority aforesaid, That if, from and after the said Day of any Person or Persons whatsoever shall assault, resist, oppose, molest, obstruct or hinder any Officer or Officers of the Customs, or for the Inland Duty by this Act granted, in the due seizing or securing of any Tobacco, which by any Officer or Officers of the Customs, or for the Duty hereby granted, shall or may be seized by Virtue or in Pursuance of this or any other Act or Acts now in force, or hereafter to be made; or shall by Force or Violence rescue, or cause to be rescued any such Tobacco after the same shall have been seized by such Officer or Officers as aforesaid; or shall attempt or endeavour so to do; or after such Seizure shall steal, break or otherwise destroy or damage any Vessels or Package wherein the same shall be contained; all and every the Party or Parties so offending shall, for every such Offence, the Sum of

And it is hereby further enacted by the Authority aforesaid, that all as well specifick as pecuniary, relating to the Inland Duty by this Act imposed, or to any Seizures made in Pursuance of this Act, shall be sued for, levied and recovered, or mitigated, by such Ways, Means and Methods, as any Fine, Penalty and Forfeiture is or may be recovered, or mitigated, by any Law or Laws relating to his Majesty's Revenue of Excise, or any of them, subject to the Alterations herein after mentioned; or by Action of Debt, Bill, Plaint or Information in any of his Majesty's Courts of Record at Westminster, for any Thing done in that Part of Great Britain called England, or the Court of Exchequer at Edinburgh, for any Thing done in that Part of Great Britain called Scotland; and that

of every such shall be to his Majesty,

Majesty, his Heirs and Successors, to be applied to such Uses as are herein after-mentioned, and the other thereof to him or them who shall seize, infringe, or sue for the same.

Provided always, and it is hereby enacted by the Authority aforesaid, that such Persons as, for the Time being, shall in Pursuance of this Act be appointed Commissioners for the said Inland Duty on Tobacco, or

of them, and also Justice of the Peace within their respective Districts, shall have and exercise the same or like Jurisdiction, Power, and Authority, and may judge, determine, mitigate or order in all Cases and Matters relating to the said Inland Duty on Tobacco, as the Commissioners of Excise upon Beer and Ale, and other Liquors, or two Justices of the Peace may or lawfully can or ought to exercise, adjudge, determine, mitigate, or order in like Cases or Matters in relation to the said Duties of Excise; and that the Judgments which shall be so given in pursuance of this Act, by the said Commissioners and Justices of the Peace respectively, shall be and are hereby declared to be subject only to such Appeal as is herein after mention'd.

And it is hereby further enacted and declared, that such and the like Allowance for any damaged or mean Tobacco, which in pursuance of an Act made in the ninth Year of the Reign of his late Majesty K. George I. [intituled, *An Act for enabling his Majesty to put the Customs of Great Britain under the Management of one or more Commissioners, and for better securing and ascertaining the Duties on Tobacco, and to prevent Frauds in exporting Tobacco, and other Goods and Merchandizes, or carrying the same Coastwise*] shall be cut off and separate from the found, in order to be burnt, or otherwise publicly destroy'd, as in and by the same Act is appointed to be made, shall continue in Force for or in Respect of Tobacco of the *British* Plantations to be imported from and after the said Day of and shall and may from thenceforth be made by the proper Officers of his Majesty's Customs for the Time being; and, on such Certificate thereof from the said Officers as is now in Use, the said Allowance shall be paid by the said Commissioners of the Inland Duty, out of the Moneys arising by this Act, any Thing herein contained to the contrary thereof notwithstanding.

Provided always, and it is hereby enacted by the Authority aforesaid, that every Person who shall be appointed a Commissioner for the Duty by this Act granted, and every subordinate Officer under such Commissioner, who shall receive any Salary or Allowance in respect of his or their Office, shall, before he or they shall act in their respective Trust, take an Oath for his or their due and faithful Execution of the same according to this Act; which Oath shall and may be administered to any Commissioner, by any other Person who shall be appointed a Commissioner as aforesaid, and to the said Officers respectively by any of the said Commissioners, or by Justice of the Peace, who shall give to such Officer a Certificate thereof gratis.

And to the End the Duty upon Tobacco by this Act granted, may be duly and certainly raised, and the same (except the necessary Charges of executing this Act) may be justly and duly brought into the Receipt of his Majesty's Exchequer, according to the true Meaning hereof, It is hereby enacted by the Authority aforesaid, that the respective Commissioner and Officers to be appointed for managing, raising, collecting, and paying the said Duty herein before granted, and for keeping and rendering of the same, shall perform their several Duties in Relation to the Premises, as to them respectively shall appertain, under such and the like for any Offence or Neglect therein; or for detaining, diverting, or misapplying any Part of the Moneys arising by the said Duty, as are prescribed, and to be inflicted, by Virtue of an Act of Parliament made in the ninth Year of the Reign of his said Majesty King William III. [intituled, *An Act for raising a Sum not exceeding two Millions, upon a Fund for Payment of Annuities after the Rate of eight Pounds per Cent. per Ann. and for settling the Trade to the East-Indies*] for the like Offence, or Neglect, relating to the Duties thereby granted, or referred to, or for detaining, diverting, or misapplying any Part of the Moneys which were granted or appropriated by Act of Parliament last mention'd.

And be it further enacted by the Authority aforesaid, that no Person shall be deem'd a Seller of or Dealer in Tobacco within the Meaning of this Act, or be liable to make any such Entries, or subject to the Survey of the Officers for the said Inland Duty on Tobacco, who shall not have in his, or her, or their Custody, at any one Time, a Quantity of Tobacco exceeding the Weight of

Provided

Provided also, and it is hereby further enacted, that all Powers, Provisions given, made or inflicted, or by any former Act or Acts of Parliament now in Force relating to any Offences in the unshipping, discharging of Tobacco of the *British* Plantations, or to any Frauds or Abuses in or concerning the exporting of the same, or relanding thereof in *Great Britain*, or landing the same in *Ireland*, or the *Isle of Man*, after it shall have been shipp'd for Exportation; or to any other Offences against the said Acts, or any of them not hereby repealed or alter'd, shall continue in full Force, any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Provided always, and it is hereby enacted by the Authority aforesaid, that the Moneys arising by the said Inland Duty by this Act charged and imposed upon Tobacco, and all arising thereby (except such Part thereof as is hereby given to the Seizors, Informers, or Prosecutors respectively) shall be appropriated, issued, and apply'd, and the same are hereby appropriated and made payable to the same Uses, Intents and Purposes, as the Subsidies, Duties and Imposts hereby determined as aforesaid, were appropriated and applicable before the making of this present Act; and shall be also subject and liable to the same Redemption by Parliament, as the said Subsidies, Duties, and Imposts hereby determin'd as aforesaid, were subject and liable unto.

And whereas by the said Act made in the 12th Year of the Reign of the late King *Charles II.* [intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*] it was enacted, that all Forfeitures and Offences against the said Act, made and committed within the immediate Limits of the chief Office of Excise in *London*, should be heard, adjudg'd, and determin'd by the chief Commissioners and Governors of Excise, or the major Part of them; or by the Commissioners for Appeals, and regulating the said Duties, or the major Part of them, in Case of Appeal, and not otherwise; and all such Forfeitures and Offences made and committed within all or any other the Counties, Cities, Towns, or Places within *England*, or the Dominion thereof, should be heard and determin'd by two or more of the Justices of the Peace residing

residing near to the Place where such Forfeitures should be made, or Offences committed; and in Case of Neglect or Refusal of such Justices of the Peace, by the Space of fourteen Days next after the Complaint made, and Notice thereof given to the Offender, then the Sub-Commissioners, or the major Part of them, appointed for any such City, County, Town, or Place, should hear and determine the same; from which Judgment of Sub-Commissioners an Appeal was thereby given to the Justices of the Peace at the next Quarter-Sessions, and such other Powers and Authorities were thereby given to the said Commissioners of the Excise, Commissioners for Appeals, Justices of the Peace, and Sub-Commissioners, as are therein mention'd.

And whereas by several other Acts now in force, the like Jurisdictions, Powers, and Authorities are given to the said Commissioners of Excise, Commissioners for Appeals, two Justices of the Peace, Sub-Commissioners, and Justices of the Peace in the Quarter-Sessions, touching divers other Duties, Matters and Things, thereby, or by Commission, granted by the Crown, in pursuance of the same Acts, or some of them, subject to the Management and Direction of the Commissioners of Excise. Be it enacted by the Authority aforesaid, that from and after the Day of all and singular the said Jurisdictions, Powers, and Authorities given by the said Acts, or any of them, to the said Sub-Commissioners of Excise, Commissioners for Appeals, or Justices of the Peace in their Quarter-Sessions, or any of them, shall and from thenceforth the Justices of the Courts of *King's-Bench* and *Common-Pleas*, and the Barons of the Coif of the Court of *Exchequer* at *Westminster* for the Time being, or any or more of them sitting at the same Time and Place, and not otherwise, shall and are hereby authorized to hear and determine all Appeals from the Judgment and Determination of the Commissioners of Excise, or Commissioners for the said Inland Duty hereby granted, as to all Matters arising within the Limits of the chief Office of Excise in *London*, and all Incidents relating thereto; and the Justices of Assize for the Time being, or any of them within their respective Circuits; and the Justices of the Sessions for the County Palatine of *Chester* for the Time being, or any

of them within the said County
Palatine;

Palatine; and the Justices of the Great Sessions in *Wales*, or any of them within their respective Circuits, shall and are, and is hereby respectively authorized, to hear and determine all Appeals from the Judgment and determination of any Justices of the Peace, or of the Sub-Commissioners of Excise, as to all Matters arising out of the Limits aforesaid, and within their said several Districts respectively, and all Incidents relating thereto; and the Barons of the *Exchequer* in *Scotland*, or any of them, shall, and are hereby authorized to hear and determine all Appeals from the Judgment and Determination of any Justices of the Peace, as to all Matters arising within any Shire, Stewarty, or Royal Burgh, within that Part of *Great Britain* called *Scotland*; which said Justices and Barons, or any or more of them, Justices of Assize, Justices of the Sessions for the said County Palatine of *Chester*, and Justices of the Great Sessions in *Wales*, or any of them, shall and are hereby respectively impower'd, and required, in a summary Way, and without the Formality of Proceedings in Courts of Law or Equity, and with all convenient Dispatch, finally to hear and determine all such Appeals; and to affirm, reverse, or alter the Judgments, Determinations, or Decrees of the said Commissioners of Excise, Commissioners for the said Inland Duty, Justices of the Peace, or Sub-Commissioners respectively; and the said Justices and Barons, or any of them, shall and may sit, when, where, and as often as he or they shall respectively think fit, with or without adjourning; and shall have and exercise the like Jurisdictions, Powers and Authorities, to all Intents and Purposes, as by the said Acts, or any of them, were given to, and vested in the said Commissioners of Appeals, and Justices of the Peace in their Quarter-Sessions, or any of them; and his or their respective Judgments and Determinations upon such Appeals shall be final, of which there shall be no Review; nor shall any Appeal, Writ of Error, or *Certiorari* be brought, to remove or reverse the same.

Provided always, and be it enacted by the Authority aforesaid, that from and after the said Day of no Appeal from the Judgment or Determination of the Commissioners of Excise, or Commissioners

missioners for the Inland Duty, shall be admitted, unless the same be brought within after such Judgment or Determination. Nor shall any Appeal be admitted from the Judgment or Determination of Justices of the Peace, or of the Sub-Commissioners, unless the same be brought within after such Judgment or Determination: Nor unless the Party Appellant shall have first paid down and given such Security as is required by the said Acts, or any of them, in Cases of Appeals from the Determination of the Commissioners of Excise, to the Commissioners of Appeals.

Provided always, and be it further enacted by the Authority aforesaid, That if on the said Day of any Appeal, from any Determination of the Commissioners of Excise shall be depending before the said Commissioners of Appeals for the Time being, and then undetermin'd, every such Appeal, and all Proceedings thereon, shall by Virtue of this Act, be transferred over, and shall be certify'd by the said Commissioners of Appeals, or any of them, to the said Justices of the Courts of King's Bench and Common-Pleas, and Barons of the Coif of the Court of Exchequer, in the same Plight and Condition as they then shall stand before the said Commissioners of Appeals; And the said Justices and Barons, or any or more of them, shall and are hereby empower'd to hear and determine the same, with all Incidents relating thereto; and to make such Proceeding thereon, and to exercise all such Powers and Authorities touching the same, as the said Commissioners of Appeals might have done in Case this Act hath not been made.

And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall be sued, molested, or prosecuted, for any Thing done by Virtue or in Pursuance of this Act, such Person or Persons shall and may plead the general Issue, and give this Act and the Special Matter in Evidence in his Defence: And if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff shall discontinue his Action, or be Nonsuited, or Judgment shall be given against him upon Demurrer or otherwise, then such Defendant or Defendants shall have to him or them awarded against such Plaintiff,

And whereas by an Act of Parliament made in the 11th Year of the Reign of his late Majesty K. George I. [Intituled, *An Act for more effectually preventing Frauds and Abuses in the Publick Revenues; for preventing Frauds in the Salt Duties, and for giving Relief for Salt used in the curing of Salmon and Codfish, in the Year 1719, exported from that Part of Great Britain call'd Scotland; for enabling the Insurance Companies to plead the General Issue in Actions brought against them; and for securing the Stamp-Duties upon Policies of Insurance*] it is amongst other Things provided and enacted, that it should and might be lawful for the Commissioners of the Inland Duties on Coffee, Tea, and Chocolate, or any two or more of them for the Time being, within the respective Jurisdiction of the said Commissioners, or Justice or Justices of the Peace, upon any Officer or Officers for the said Inland Duties making Complaint upon Oath to such Commissioners, or Justice or Justices of the Peace respectively, that he or they did suspect any Dealers in the said Commodities not to have made true and just Entries in the Books which he, she, or they are obliged by the said Act to keep for that Purpose, of such of the said Commodities as he, she, or they from Time to Time sold, deliver'd out, or consum'd, in which should be set forth, the Causes of such Suspicion, to summon such suspected Person or Persons to appear before the said Commissioners, or Justice or Justices of the Peace respectively, with their respective Entry-Books aforesaid; to the Intent that such Commissioners, or Justice or Justices of the Peace respectively, might examine such suspected Person or Persons, or such as keep the said Book or Books, upon his, her, or their Oaths or Affirmation, touching the Truth of the Entries made in their said Books. And any such Dealer in Coffee, Tea, or Chocolate, who should neglect or refuse to make such Oaths or Affirmations so appointed to be administred, being thereunto required by the respective Person or Persons who by the said Act were authorized to administer the same, or should refuse or neglect to attend such Summons as aforesaid, with his, her or their respective Entry-Books, and be examin'd upon Oath as aforesaid, touching the Truth of the Entries made in their respective Entry-Books; Then, and in every such Case and Cases, the Person or Persons offending therein, or either of them, should, for each and every such Offence, forfeit and lose the Sum of 20*l*.

And whereas the above recited Clause or Proviso hath by Experience been found to be inconvenient to the several Dealers in the said Commodities, and of no Advantage to the Revenue ; Be it therefore enacted by the Authority aforesaid, that from and after the said Day of the said Clause or Proviso before recited, and every Matter and Thing therein contained, shall be, and is hereby repealed.

F I N I S



THE
Historical Register.

 NUMBER LXXI.

G R E A T B R I T A I N .



OUR last concluded with the Inland Duty, or Excise Bill on Tobacco; next occur the two following memorable Pieces, which for Want of Room, could not be then inserted; they make, indeed, a late Appearance, but are of so important a Nature in the Eye of the Publick, we should be wanting to the curious Reader, should we decline them on that Score. Before then we begin with our Journal of last Session of Parliament, we premise first with

The Protest of the Lords in Parliament, relating to the Application of the Sinking Fund.

Die Mercurii, 30 Maii, 1733.

Moved to resolve,

THAT it is the Opinion of this House, that the Produce of the Sinking Fund should be apply'd, for the future, towards redeeming such Taxes as are most grievous to the Subject, oppressive to the Manufacturer, and detrimental to Trade.

Which being objected to, and Debate had concerning the same.

The Question was put upon the said Motion,
 And it was resolv'd in the Negative.

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Dissent

Dissent

1. Because we conceive that it would have been extremely for the Honour of the House, and for the Service of the Publick, to have enter'd this Resolution in our Books, at a Time when we have so far consented, in Compliance with the House of Commons, to a Bill by which near half a Million collected for the Sinking Fund, in several Years, is appropriated to the Service of the present Year.

2. Because the Sinking Fund, being composed of the Surpluses of Funds originally granted, as Securities to the Creditors of the Publick; and these Surpluses arising chiefly from a Reduction to 4 *per Cent.* of the Interest granted them, for the most part at the Rate of 6 *per Cent.* we cannot but think, that this Saving ought to be apply'd according to the most inviolable Rules of Equity, and according to the known Design, and the repeated and solemn Engagements of Parliament, to a gradual Discharge of the Principal due to these Creditors of the Publick, who have parted with a Third of their Revenue in this View, and upon this Confidence.

3. Because we apprehend, that the Method of applying large Proportions of the Sinking Fund to the Service of the current Year, must in Effect perpetuate the Debts and Taxes which lie on the Nation, and is therefore injurious to the Publick. Had this whole Fund been strictly apply'd from the Beginning to its proper Use, we think it may be demonstrated, not only that much more of the National Debt might have been discharged, but that those Taxes, which are most oppressive to the Poor, and most prejudicial to Trade, might have been already taken off, since upwards of 480,000*l.* *per Ann.* belonging, as we conceive, to this Fund, has been apply'd to other Uses.

4. Because we apprehend that it cannot be for the Good of the Nation, nor consequently for the Honour of Parliament, to separate those Interests in the particular Appropriations of the Sinking Fund, which are so wisely and so justly united in the original and general Design of it, the Interest of the Nation, and the Interest of the Proprietors of the Nation's Debts; the former was intended to be eased, and for that Purpose the latter were to be clear'd as soon as possible. If it be said therefore, that the Creditors of the Publick do not desire to be cleared any faster than they are in the present Method, nor object to the Application of Part of
the

the Sinking Fund to other Uses, we apprehend that no Argument which ought to avail in the House of Parliament, can result from such an Assertion, because we conceive, that in every Instance of this Kind, in every Application of the Sinking Fund, or of any of it, we are to look on ourselves, as obliged, not only to be just to the Creditors of the Publick, but to be careful of the Ease of the People, to keep the particular and general Interests united as they originally were, not to sever them. If in Fact the Creditors of the Publick do not object to the Application of such large Proportions of the Sinking Fund to other Uses than to the Payment of the Debts, it may be said, that no Injustice is done them by any such Application, according to the known Maxim, *Volenti non fit Injuria*; nay, it may be deem'd for their private Interest, to have such beneficial Mortgages continued to them as long as possible; and they may desire therefore not to be cleared any faster than they are likely to be in the present Method; but we apprehend that it cannot be for the Interest of the Nation to have these Mortgages continued any longer than is absolutely necessary to discharge the Debts secured by them, and that we, by Consequence, who are Trustees for the People, ought to desire and endeavour that the Debts may be discharged, and the Load of Mortgages may be remov'd as soon as possible. In this Manner, publick Faith would be strictly kept, Justice would be done, no Injustice could be done to the Creditors of the Publick: In the other Method, and by diverting such large Portions of the Sinking Fund, if it should be granted, that no present Injustice was done to the Proprietors of these publick Debts; yet must it be allow'd, as we apprehend, that great Injury is done to the Nation, unless it can be proved, that the unnecessary Continuation of Debts and Taxes is a National Benefit.

5. Because we conceive that if the whole Produce of the Sinking Fund were not to be apply'd to the Discharge of the publick Debts, it would be much more for the Ease of Trade and Advantage of the Nation, that some of those grievous Taxes out of which it arises, should cease, than that they should be continu'd to supply the current Service at 4 *per Cent.* which might certainly be supply'd by other Ways at a cheaper Rate; these Taxes are not only grievous in themselves, but almost intolerable, by the Manner of collecting them under the Law of Excise; Laws so oppressive to the Sub-

jest, and so dangerous to Liberty, that every Man who wishes well to his Country, must, in our Opinion, desire to see them put a speedy End to. Most of these Taxes were laid during the Necessity of twolong and expensive Wars, and were granted only for Terms of Years, that so the Principal and Interest of the Loans made on them might be paid off in a certain limited Time. Thus the Nation consented to pay in some Manner a double Tax, in order to avoid the long and uncertain Continuance of such grievous and dangerous Impositions; and according to the first Design, many of them would have been very near the Expiration of their Term at this Hour. The Wisdom of Parliament, indeed, thought fit to throw these Taxes, and the Method of discharging the Publick Debts into another Form, which now subsists, but we cannot conceive that this was done with a View of continuing our Taxes and our Debts the longer. On the contrary, we are sure it was done in the View of discharging both the sooner; and it is this very View which we apprehend must be fatally disappointed, if the present Method of diverting any Part of the Sinking Fund from the Payment of the Publick Debts, be suffered to continue.

6. Because we apprehend that this Method may create the utmost Uneasiness in the Minds of his Majesty's Subjects, and may tend, if not timely prevented by the Wisdom and Authority of this House, to diminish their Affection for his Person and Government. Hitherto, whilst they have labour'd under the Weight of Taxes, and groan'd under the Oppression of Excise Laws, the Hope of seeing speedily an End of both, has been their sole Consolation; but nothing can maintain this Hope, except a due Application of the entire sinking Fund, to the Discharge of those Debts, for the Discharge of which, these Taxes were intended and given. If some Part of this Fund therefore continue to be mortgaged off, and other Parts to be apply'd to the current Service, even in the midst of profound Peace, this Hope must sink, and Despair arise in its Stead. We insist with greater Concern and Earnestness on this Point, from our Observation of what has lately passed on the Occasion of Attempts made to extend the cruel and arbitrary Methods practis'd under the Laws of Excise, and naturally and necessarily, as we apprehend, flowing from them. If any new Law of this Kind had passed elsewhere, we persuade ourselves, it could not have prevail'd in this House :

House: But we think it the more incumbent upon us, after such an Attempt, and such National Resentment expressed against it, (both which are of publick Notoriety) to promote, as effectually as we are able, the Quiet and Happiness of his Majesty's Reign, by cutting off any Hopes or Fears which may be still entertain'd, that such a Project will some Time or other succeed; and to this good and laudable End, we conceive, that nothing would have contributed more, than such a solemn Declaration of the Sense of this House, as is contain'd in the Question.

Bedford,	Shaftsbury,	Litchfield,
Craven,	Bridgewater,	Sunderland,
Gainsborough,	Ker,	Coventry,
Winchelsea and	Bruce,	Stratford,
Nottingham,	Carteret,	Bathurst,
Gower,	Masham,	Thanet.
Tweedale,		

The Protest of the Lords in Parliament relating to the Enquiry into the Affairs of the South-Sea Company.

Die Sabbati, 2 Junii 1733.

THE House being moved to appoint a Committee to examine into the Proceedings of the South Sea Company,

After Debate,

The Question was put, Whether a select Committee shall be appointed, of twelve Lords to be chosen by Ballot, to examine into the Transactions and Proceedings of the South-Sea Company, from the second Day of February, 1720, and to lay their Report before this House?

It was resolved in the Negative.

Dissent?

1. Because the present Debt of the Kingdom, being almost wholly incorporated into the three great Companies, it behoves the Legislature, who are the proper Guardians of the Publick Creditors, to take all possible Care, that they suffer no Injury in their Estates by any Frauds committed in the Management of them: For though the Directors are chosen by a General Court, they are invested with such extensive Powers, that they are capable, by abusing their Trust, of doing infinite Mischief to the Proprietors, unless their Proceedings are

are vigilantly watched and Controuled, by that supreme Authority under whose Sanction they act, and by which only such Practices can be effectually prevented or punished.

2. Because this House having been induced, by the Reasons before mentioned, to begin an Enquiry into the Management of the *South-Sea Company*, we apprehend that our Honour is engaged to answer those Expectations which the Publick had so justly conceived from it; and since the advanced Season of the Year will not permit us to finish this Examination, during the present Session of Parliament, we apprehend a Committee was the only proper Way left to unravel such dark and intricate Affairs, which require a very nice Inspection into many voluminous Books; it appearing to us, by what we have seen and heard at our Bar, that the Accounts of this Company have been kept in a most confused, irregular, and unwarrantable Manner, in order, as we apprehend, to conceal Frauds, and defeat all Enquiries.

3. Because the great Distresses and Calamities of the Year 1720, having been occasioned by the Directors at that Time declaring such extravagant Dividends, as the Company was not able to support, the Legislature have, in all their Acts relating to this Corporation, which have passed since that Time, taken the utmost Care to prohibit and restrain the Directors from being guilty of the like Practices; yet notwithstanding this, they have been so far from taking Warning by the Examples made of their Predecessors, that it appears, by the Accounts laid before this House, that although by the Cash which came into their Hands, and by the Sale of four Millions of Stock to the Bank, and by the Loans of Stock and otherwise, they were sufficiently enabled to pay off the Debt of five Millions four Hundred Thousand Pounds, then owing by the Company, as in Justice and Prudence they ought to have done; yet influenced, as we have Reason to believe, by the great corrupt Views of some few, who may have assumed to themselves the whole Management of the Affairs of this Corporation, they left great Part of their Debt on Bonds at Interest unpaid, and by unwarrantable Dividends out of the Money, in order to give a fallacious Value to their Stock, Multitudes of his Majesty's Subjects have been defrauded; and they have, without the Knowledge of the Proprietors, not only dissipated above two Millions three hundred thousand

thousand Pounds, received from the Directors Estates; but they have likewise brought a new Debt of two Millions upon the Company, and thereby diminished the Capital of every Proprietor's Stock; by which Means great Injury and Injustice have in numerous Instances been done to Orphans, and the Reversionary Heirs of these Estates, to the great Dishonour of the publick Faith, and Discredit of the Nation.

4. Because, although the Directors apply'd to Parliament in the Year 1727, for their Authority to dispose of the Produce of the Estates of the forfeiting Directors, pretended to be then remaining in their Hands, yet it appears by the Accounts now before us, that the greatest Part of this Money had been before actually divided out in extraordinary Dividends, and when, in order to give some Colour to these Proceedings, they obtained an Act of Parliament to dispose of these Effects, they never call'd a General Court to acquaint them with the State of this Account, or to take their Directions for the Application of any remaining Part of these Estates, notwithstanding they were expressly required so to do by the said Act.

5. Because there is Reason to believe, from a general View of the same Accounts, that there are many Articles hitherto unexamined, under which a Multitude of Frauds made be conceal'd; such as buying, selling, creating, and issuing of Bonds, employing irregularly the Cash of the Company which lay in their Hands, whilst the Proprietors were paying Interest for Money borrow'd of the Bank, in transacting Stock abroad, and selling fictitious Stock at Home, with many other Practices of the like Nature, too long and various to be particularly explain'd: For these Reasons, we conceive, it was absolutely necessary to have appointed a Committee, as the only Method to distinguish the few, who probably are criminal, from many Gentlemen who may at present lie unjustly under the same Imputation; especially at a Time when a Bill was actually depending for dividing the Capital of this Company, three Fourths into Annuities, and leaving the remaining Quarter to be a trading Stock, with a large Debt, and Demands upon it unliquidated, and the Value of it consequently unknown; which, should it pass into a Law, will, in all probability, promote and encourage the infamous Practice of Stock-jobbing, to the Ruin of great Numbers of his Majesty's Subjects.

6. Because

Journal of the Proceedings and Debates of last Session of Parliament.

ON the 16th of January last, both Houses of Parliament met at Westminster, according to Prorogation, and his Majesty being come to the House of Peers, and seated on his Throne, the Commons were sent for as usual; and his Majesty open'd the Sessions with the following most gracious Speech, viz.

My Lords and Gentlemen,

IT is a great Satisfaction to me, that the present Situation of Affairs, both at home and abroad, makes it unnecessary for me to lay before you any other Reasons for my calling you together at this Time; but the ordinary Dispatch of the Publick Business, and that I may have an Opportunity of receiving your Advice upon such Affairs as may occur to you, and shall require the Care and Consideration of Parliament.

Gentlemen of the House of Commons,

I will order the proper Officers to lay before you the Estimates for the Service of the current Year; and I make no Doubt but that you will, with the same Cheerfulness, as I have always experienced in you, effectually raise such Supplies, as you shall judge necessary for the Honour, Safety, and Defence of the Kingdom; and I cannot but recommend it to you, as a Consideration worthy the Commons of Great Britain, that in all your Deliberations, as well upon raising the annual Supplies, as the Distribution of the Publick Revenues, you pursue such Measures as will most conduce to the present and future Ease of those you represent.

My Lords and Gentlemen,

You must be sensible, that it is very desirable to give all possible Dispatch to the Publick Business, and that nothing can give more Weight and Credit to all your Resolutions, than to avoid unreasonable Heats and Animosities, and not to suffer yourselves to be diverted by any specious Pretences from stedfastly pursuing the true Interest of your Country: Let that be your first and principal Care; and the People will be sensible of the Benefits they shall receive from your Wisdom and Resolution in preferring their Ease and the Publick Good, to all other Considerations.

Journal of the Proceedings and Debates of last Session of Parliament.

ON the 16th of January last, both Houses of Parliament met at *Westminster*, according to Prorogation, and his Majesty being come to the House of Peers, and seated on his Throne, the Commons were sent for as usual; and his Majesty open'd the Sessions with the following most gracious Speech, *viz.*

My Lords and Gentlemen,

IT is a great Satisfaction to me, that the present Situation of Affairs, both at home and abroad, makes it unnecessary for me to lay before you any other Reasons for my calling you together at this Time; but the ordinary Dispatch of the Publick Business, and that I may have an Opportunity of receiving your Advice upon such Affairs as may occur to you, and shall require the Care and Consideration of Parliament.

Gentlemen of the House of Commons,

I will order the proper Officers to lay before you the Estimates for the Service of the current Year; and I make no Doubt but that you will, with the same Chearfulness, as I have always experienced in you, effectually raise such Supplies, as you shall judge necessary for the Honour, Safety, and Defence of the Kingdom; and I cannot but recommend it to you, as a Consideration worthy the Commons of *Great Britain*, that in all your Deliberations, as well upon raising the annual Supplies, as the Distribution of the Publick Revenues, you pursue such Measures as will most conduce to the present and future Ease of those you represent.

My Lords and Gentlemen,

You must be sensible, that it is very desirable to give all possible Dispatch to the Publick Business, and that nothing can give more Weight and Credit to all your Resolutions, than to avoid unreasonable Heats and Animosities, and not to suffer yourselves to be diverted by any specious Pretences from steadfastly pursuing the true Interest of your Country: Let that be your first and principal Care; and the People will be sensible of the Benefits they shall receive from your Wisdom and Resolution in preferring their Ease and the Publick Good, to all other Considerations.

His Majesty being retired, the Lord *Raymond* (in the Absence of the Lord Chancellor, who was ill) reported his Majesty's Speech to the House; and thereupon the Right Hon. the Marquess of *L——* made a short Speech, and moved for an Address to his Majesty, to thank him for his most gracious Speech from the Throne, &c. which Motion was seconded by the Right Hon. the Lord *L——ce*, and agreed to without any Lord's offering to speak against it, or to make any Amendment; which Address is as follows, *viz.*

Most gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, do, in all Humility return the Thanks of this House for your Majesty's most gracious Speech from the Throne.

It is owing to the happy Success of your Majesty's Counsels and Negotiations, that your Majesty now assembles your Parliament for no other Reasons but the ordinary Dispatch of the Publick Business; and your Majesty being graciously pleased to express such great Satisfaction in giving us an Opportunity of humbly offering our Advice to the Throne, upon such Affairs as shall require the Care and Consideration of Parliament, we think it incumbent on us, in Return, to consider that Part of our Duty to be the highest Honour and Privilege of this House, which, as we have always enjoy'd, so we beg Leave to assure your Majesty, we will never abuse.

We will use our utmost Endeavours to proceed in such Manner in the speedy Execution of the great Trust reposed in us, that the People may be fully sensible, that no unreasonable Heats or Animosities shall delay or interrupt our Deliberations, and that the true Interest of our Country, the present and future Ease of our Fellow Subjects, and the Publick Good of *Great Britain*, shall outweigh all other Considerations, tho' cover'd by any specious Pretences whatsoever. Upon these Foundations, we may be confident, that our Resolutions will be agreeable to your Majesty, by being beneficial to the whole Nation.

This Address was next Day presented to his Majesty, and his Majesty was pleased to return the following most gracious Answer.

My Lords,

I Thank you for this dutiful and loyal Address. As the Ease of my People and the Publick Good have always been my chief Care and Concern, the Zeal that you shew for the promoting of them cannot but be very acceptable to me, and will most effectually recommend you to my Favour and Protection.

The Honourable the Commons being returned to their own House, and their Session constituted by reading a Bill, Mr. Speaker reported to them, that the House having attended his Majesty in the House of Peers, his Majesty was pleased to make a most gracious Speech to both Houses of Parliament, of which, (to prevent Mistakes) he had procured a Copy; and the same being read, *H—y, B—y, Esq;* one of the Knights of the Shire for the County of *Cambridge*, made a Speech, in which (among other Things) he took Notice of the happy Situation of our Affairs both at home and abroad, and that the present profound Tranquillity was entirely owing to his Majesty's great Wisdom and Conduct, by which he had surmounted all those Difficulties, which were thrown in his Way by the Enemies of the Nation, and had thereby at last establish'd our Affairs both at home and abroad upon a most firm, and he hoped, a lasting Basis. That we ow'd a great many Acknowledgements of Thanks to his Majesty, for his prudent and careful Management of our Affairs both at home and abroad, and therefore he would beg Leave to move, That an humble Address should be presented to his Majesty, to return his Majesty the Thanks of that House for his most gracious Speech from the Throne; to express the Satisfaction of that House at the present Situation of Affairs both at home and abroad; and to assure his Majesty, that that House would, with all possible Duty to his Majesty, and just Regard and Concern for those they represented, cheerfully and effectually raise such Supplies as should be necessary for the Honour, Safety, and Defence of his Majesty and his Kingdoms; and that, in all their Deliberations upon raising the annual Supplies, and the Distribution of the Publick Revenues, they would pursue such Measures as would most conduce to the present and future Ease of their Fellow-Subjects; and that, in order to give the necessary Dispatch to the Publick Business, and that their Proceedings might carry with them that Weight and Credit in the Nation which

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ought always to attend the Resolutions of the Commons of Great Britain, they would endeavour to avoid all unreasonable Heats and Animosities, and not suffer themselves to be diverted by any specious Pretences whatsoever, from stedfastly pursuing the true Interest of their Country, which should upon all Occasions be their first and principal Care.

This Motion was seconded by J——n Knight, Esq; one of the Representatives for the Borough of S——y in the County of Suffolk, who likewise made a short Speech in Praise of his Majesty's Conduct, and concluded, that he hoped the House would be unanimous in agreeing to the Address of Thanks moved for by the honourable Member who had spoke before him.

Sir J——n B——d, for the City of London, was the first that 'rose up and mov'd for an Amendment to the said Motion as follows :

S I R,

I Shall always be ready to make all proper Acknowledgments of Thanks to his Majesty ; but there are some Words in the Motion made by the honourable Gentleman who spoke first, which I cannot but take Notice of. I do not really know what the honourable Gentleman means by the Words, *We will endeavour to avoid all unreasonable Heats and Animosities, and not suffer ourselves to be diverted by any specious Pretences whatsoever.* I hope there never were, nor never will be any unreasonable Heats or Animosities in this House, nor any specious Pretences made Use of by any Gentleman who has the Honour to be a Member thereof ; at least, I hope, that if any Man shall ever be vain enough to endeavour to impose upon this House, by making Use of specious Pretences for concealing Designs which he dare not openly avow, that there will always be in this House Men of Understanding and Integrity sufficient to expose any such Attempt, and to render it vain and ridiculous. But if any Gentleman of the House happens not to like what is said, or what is moved for by another, cannot he oppose it, and give his Reasons for so doing, without being guilty of any unreasonable Heat or Animosity, or of making Use of specious Pretences ; I must say, Sir, that the desiring such Words to be put into our Address of Thanks to his Majesty, to me looks as if the Gentleman was conscious that there is something to be brought before us in this Session of Parliament, which he foresees will meet with a warm Opposition ; and, I hope,

if any Thing of an extraordinary Nature is to be brought before us, no Gentleman will be precluded by these Words, or by any Words that can be put into our Address, from giving his Sentiments freely upon any Question that may occur. If any Thing should happen to be proposed in this House, which evidently appears to be inconsistent with the Liberties or the Trade of this Nation, I hope the Indignation of every Man that thinks so, will rise against such a Proposition, and that he will oppose it with that honest Warmth as becomes every Man who has the Happiness of his Country really at Heart: Such a Warmth is no unreasonable Heat; it does not proceed from Animosity, but from that honest Zeal which every Man in this House ought to have for the Constitution of his Country, and for the Liberties and Properties of the People he represents.

But before I say any Thing more upon this Subject, I must take Notice of a preceding Part of the Motion made by the honourable Gentleman: He proposes for us to say, *That we will raise the Supplies in such Manner as will most conduce to the present and future Ease of the Subject.* Now, there seems to be a great Jealousy without Doors, as if something were intended to be done in this Session of Parliament, that may be destructive to our Liberties, and detrimental to our Trade: From whence this Jealousy hath arisen, I do not know; but it is certain that there is such a Jealousy among all Sorts of People, and in all Corners of the Nation; and therefore we ought to take the first Opportunity to quiet the Minds of the People, and to assure them that they may depend upon the Honour and Integrity of the Members of this House, and that we never will consent to any Thing that may have the least Appearance of being destructive to their Liberties, or detrimental to their Trade; for which Reason I must move for an Amendment, and that these Words, *And such as shall be consistent with the Trade, Interest, and Liberty of the Nation,* may be added to what the Honourable Gentleman has already proposed.

Mr. S^{er}gent for the City of *Warr*, spoke next, and declared himself of the same Opinion with the honourable Gentleman who spoke last, that he saw no Manner of Occasion for inserting, *that they should endeavour to avoid all unreasonable Heats and Animosities, nor suffer themselves to be diverted by any specious Pretences;* for that 'twas never to be presum'd with Regard to the honourable

nourable House, that they should fall into any unreasonable Heats and Animosities, or suffer themselves to be diverted by specious Pretences from stedfastly pursuing the true Interest of their Country. Such a Reflection was derogatory to the Honour of the House in general, and of that House in particular, who deserved it, in his Opinion, as little as any House ever did; nay, 'twas somewhat strange, that this House, after having sat so quietly for so many Sessions, and granted so many considerable Supplies, should at length so officiously be put in mind of their Duty, and desired to avoid 'unreasonable Heats and Animosities. As for the other Part of the Motion, taken Notice of by Sir J—n B——d, 'twas his Opinion the Amendment proposed was not only very proper, but also became absolutely necessary at that Juncture.

Mr. *Shippen*, for the Borough of *Norton* in Lancashire, moved next for a farther Amendment as follows:

S I R,

I have always been against long Addresses; I am ready enough to agree to an Address of Thanks to his Majesty for his most gracious Speech from the Throne; but such an Address ought to be in the most concise Terms, and the most general Words: This was the ancient Usage of Parliament, and I find but few of our old Customs that are alter'd for the better: However, if we must go on with the Custom of making long-winded Addresses, I think we ought to take some Notice of the Spirit that is at present among the People. It is very certain, that there are great Fears, Jealousies, and Suspicions without Doors, that something is to be attempted in this Session of Parliament, which is generally thought to be destructive to the Liberties and to the Trade of this Nation. There is at present a most remarkable and general Spirit among the People for protecting and defending their Liberties and their Trade, in Opposition to those Attempts which they expect are to be made against both: From all Quarters we hear of Meetings and Resolutions for that Purpose; and this Spirit is so general, that it cannot be ascribed to any one Sett of Men: They cannot be branded with the Name of Jacobites or of Republicans, nor can it be said that this Opposition is made only by Jacobites and Republicans; no, the whole People of *England* seem to be united

ted in this Spirit of Jealousy and Opposition. Whether there be any Reason or Ground for exerting such a Spirit at present, I do not know; but I am sure it ought not to be entirely neglected. It is well known that I am no Friend to popular Remonstrances; a Man that is a Favourer of Monarchy, cannot well approve of such Measures. But such Remonstrances are not to be condemned: A thorough Contempt of them may produce the most terrible Effects.

I look on it as a most certain Maxim, that the People never would so generally complain, unless they found themselves some Way hurt; and then they have a Right to complain, and it is our Duty to take Notice of their Complaints; but at the same Time we ought to have a Regard to the Honour and Dignity of Parliament, for which Reason I shall beg Leave to add to the Amendment proposed, and move that these Words, *and such as shall be consistent with the Honour and Justice of Parliament,* may be added to what has been before proposed.

The adding of these Words was approved of by Sir J—n B———d and Mr. S——s.

Mr. Ch——r of the E——r stood up next and deliver'd himself to this Effect.

I Now rise up, Sir, to do what is not usual for me to do; it is to second a Motion made by my worthy Friend who spoke last. I was really of Opinion, that his Majesty's Speech was in such Terms, that no Exception could have been taken to any one Word of it; and the Motion for an Address of Thanks was so short and so agreeable to his Majesty's Speech, that I could not imagine any such Objection could have been made, as has been made to some of the Words thereof. His Majesty in his Speech recommends the avoiding of unreasonable Heats and Animosities, and in Answer to that Part of his Majesty's Speech, the honourable Gentleman who moved for the Address, proposed that we should say, that we would avoid all unreasonable Heats and Animosities: In my Opinion, there cannot be a more proper Return to that Part of the Speech: And as his Majesty only desires that we would avoid all *unreasonable* Heats and Animosities, he surely did not thereby intend to preclude any Man from offering his Sentiments freely on whatever may be proposed. If any Thing be proposed
that

that is inconsistent with the Publick Good, no Opposition thereto can be called an unreasonable Heat or Animosity; nor is such an Opposition any Way comprehended in the Words made Use of by his Majesty, in his most gracious Speech from the Throne.

As for the Amendment proposed in the other Part of the Motion, it really seems to me to be liable to the same Objection, that has been made to the Words I have just now taken Notice of. It is not to be presumed that we will do any Thing that is inconsistent with the Honour and Justice of Parliament; if any such Thing should be proposed, it would, without Doubt, be rejected with Scorn. And as for the Trade of the Nation, I do not know what the Gentlemen mean thereby; but as to what I mean by the Trade of the Nation, and in so far as I understand it, I hope nothing will ever be brought into this House that is or can be detrimental thereto; if there should, it would most certainly be rejected. I am sure, Sir, that I know of no such Design, I know of nothing that is to be brought in, that can any Way injure the Trade of the Nation; but if any Thing can be proposed for the Improvement thereof, I shall very readily agree to it, and so, I hope, will every Gentleman in this House.

I agree with the honourable Gentleman who spoke last, that the Complaints of the People are not to be neglected, when they are sincere and true; I hope they will always be regarded by every Gentleman in this House: If the People are hamper'd in their Trade, or in any other Way hurt, they must feel it, and they will feel it before they begin to complain; in such Case it is the Duty of this House, not only to hear their Complaints, but to find out a Remedy, if possible: But the People may be taught to complain, they may be made to feel imaginary Ills, and by such Practices they are often induced to make Complaints before they feel any Uneasiness. However, let the People's Complaints be Real or Imaginary, let them be well or ill founded, it does not signify to the present Question: If the Gentlemen think it necessary to add the Words they have proposed, the adding or not adding of them is to me a Matter of absolute Indifference, they may do whatever they think proper.

Mr. P——r, for the Borough of A——y in Westmoreland, was pleased to observe next on the same Occasion, that

that he did not know whether or no the People might be taught to complain when they felt no hurt; but was well assur'd, that if by any Means they were taught not to complain, they would at last come to feel the Hurt severely, when perhaps their Complaints would avail nothing, but rather expose them to the Contempt of those who had done them the greatest Injuries.

Here Sir J—n B——d rose and made a second Speech.

S I R

IF the Honourable Gentleman on the Floor thinks that our Trade cannot be hurt by what the People seem to be afraid of, I am sure he must think that he understands Trade better than all the Traders in *England*; and if that is his Notion, I do not really understand what Trade he means, but he must mean by the Trade of the Nation something different from what is thereby meant by all those that are concern'd therein. I thought I had given a sufficient Reason for adding the Words I propos'd; but since it has been insinuated that they are liable to the same Objection as the Words first taken Notice of by me, I must explain myself a little further. It is certainly to be presum'd, that this House will never agree to any Thing that is destructive to the Liberties, or detrimental to the Trade of the Nation: I am sure, if ever we do, we shall do what is inconsistent with the Honour and Justice of Parliament. This is certainly not to be presum'd; yet we find there is a Spirit of Jealousy gone forth, there are very general Apprehensions that some such Thing is intended; and for this Reason, I mov'd for the Amendment; but there are no Jealousies, no Fears of our falling into unreasonable Heats and Animosities; his Majesty, I hope, never had any such Jealousy, and I am sure the Body of the People apprehend no such Misfortune; and therefore there is no Reason for having any such Words in our Address.

The Question was then put, and the Amendment propos'd was agreed to without any Division.

After the Amendment was agreed to, Sir T—— A——n for the Borough of L——le in *Lanashire*, stood up and made a further Objection to some Words in the Address, to this Effect:

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S I R;

S I R,

I Cannot in any Address to be presented to his Majesty, approve of saying what I do not believe to be true. It is propos'd that we should congratulate his Majesty upon the Situation of our Affairs both abroad and at home. This I cannot by any Means agree to, because I do not really think that our Affairs are in the best Situation either abroad or at home. Are not our Neighbours the *French* still going on in fortifying and restoring the Harbour of *Dunkirk*, under our very Nose, and contrary to the Faith of the most solemn Treaties? We cannot now say that the *French* are our good Allies, and by their Behaviour in this Particular, we may see that we cannot much depend upon the Faith of any of the Treaties now subsisting between us and them: Even this very Affair we may, perhaps, in a little Time hear made Use of as an Argument for our keeping up a numerous Standing Army in Time of Peace; and can we express a Satisfaction at the present Situation of our Affairs, as long as there is any Argument left for keeping up a numerous Standing Army in Time of Peace, which has always been thought so inconsistent with the Constitution and Liberties of our Country?

Have our Merchants as yet met with any Redress for those Depredations committed upon them by the *Spaniards*? Is not that Affair still delay'd and put off, notwithstanding the most explicate Engagements enter'd into by the famous Treaty of *Seville*; that Treaty which we have heard so much applauded, and by which we enter'd into Engagements of the greatest Consequence; on our Part it has been most punctually perform'd, and yet our plunder'd Countrymen, our Merchants, are still waiting for that Reparation, which in Justice is due to them, which by the most solemn Engagements has been stipulated for them, and which was, I may say, the only stipulation in our Favour contain'd in that Treaty. Shall we then say, that we are satisfy'd with the present Situation of our Affairs, while the Cries and Complaints of our injur'd and unredress'd Countrymen are daily meeting us in every Corner or the Streets?

Again, as to our Home Affairs, is not our Trade daily decaying? Even our Staple Manufacture is almost quite undone. There is scarcely any Sort of Trade in a thriving Condition, but that in *Change Alley*, and there,

Sir,

Sir, there are such abominable Frauds, and such wicked Impositions daily practis'd, that many honest well-meaning Men have thereby been totally ruin'd and undone. Does not almost every Session of Parliament open to us some new Scene of Villany and Roguery? These Calamities are almost universal, they do not fall upon single Persons, or upon a few, but upon Multitudes at a Time; and these, for what I know, may be owing in some Measure, to some of those Persons who have in their Hands the Management of Publick Affairs: It may be owing to their Neglect that Rogues are thus enabled to dress up and manage such publick Scenes of Knavery. While such fraudulent Practices are suffer'd, and our Trade thereby so much injured, can we approach the Throne, and say in such a solemn Manner, that we are satisfy'd with the Situation of our Affairs at home? For my Part, I am no Way satisfy'd with the present Situation of our Affairs either abroad or at home, and therefore I must move that these Words should be left out or some Way alter'd.

Upon this the Right Hon. Mr. S——r rose up and acquainted him, that by the Orders of the House, and the constant Forms of their Proceedings, the making of an Amendment to any Part of a Motion, was an Approbation of every preceding Part of that Motion; and as that Part of the Motion which he proposed to amend, preceded that which the House had agreed to amend, therefore they could not now receive his Motion.

This last Motion being thus dropp'd, the Question was put upon the Motion made by Mr. B——y, as amended by Sir J——n B——d and Mr. S——n, and was carry'd without any Division; whereupon an Address was drawn up, and being approv'd of by the House, the same was presented to his Majesty on the 18th of January, and is as follows, viz.

Most gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain in Parliament assembled, humbly beg Leave to return your Majesty our most sincere and hearty Thanks for your most gracious Speech from the Throne.

The Situation of Affairs, both at home and abroad, gives you faithful Commons the highest Satisfaction,

and fills their Hearts with the deepest Sense of Gratitude to your Majesty, being fully sensible, that the present Happiness we enjoy, is the entire Effect of your Majesty's Wisdom and Resolution.

Such Supplies, as shall be necessary for the Honour, Safety, and Defence of your Majesty and your Kingdom, shall cheerfully and effectually be raised by your faithful Commons, with all possible Duty to your Majesty, and a just Regard and Concern for those we represent.

We also beg Leave to assure your Majesty, that in all our Deliberations, as well in raising the Supplies, as in the Distribution of the publick Revenues, we will pursue such Measures, as will most conduce to the present and future Ease of our Fellow Subjects, and such as, agreeably to your Majesty's known Goodness and gracious Intentions towards your People, and the constant Endeavours of your faithful Commons, shall be consistent with the Honour and Justice of Parliament, and with the Trade, Interest, and Liberty of the Nation.

That our Proceedings may carry with them the Weight and Credit which always ought to attend the Resolutions of the Commons of *Great Britain*; and that the necessary Dispatch may be given to the Publick Business, we will use our utmost Endeavours to avoid all unreasonable Heats and Animositities, nor suffer ourselves to be diverted by any specious Pretences whatsoever, from stedfastly pursuing the true Interest of our Country, which, in Pursuance of your Majesty's most gracious Recommendation, from your great Example, and our own indispensable Duty, shall upon all Occasions be our first and principal Care.

To which Address his Majesty return'd the following most gracious Answer, *viz.*

Gentlemen,

I Return you my Thanks for these dutiful Assurances of your Zeal and Affection for me: And I make no Doubt but that your Resolutions to pursue such Measures, as will most conduce to the Ease and true Interest of all my Subjects, will as effectually recommend you to the good Opinion and Esteem of my People, as they are acceptable to me.

On the 31st of *January*, the House of Commons having no immediate Business before 'em, Mr. S—— rose up and address'd himself to the Speaker in the Manner following :

S I R,

AS the House seems at present to be at Leisure, I shall take the Opportunity to put them in Mind of a Bill, that for two or three Sessions successively has pass'd in this House without any Opposition, and has been as often thrown out in the other. What their Reasons were in the other House for so often throwing out such a Bill, I shall not take upon me, so much as to guess at; but I think it never met with any real Opposition in this House: There were indeed some Gentlemen who testified a sort of a Dislike to the Bill, but I think they never carried it so far as to form any Argument against it, or to bring the Affair to a Debate. It has been often remarked, that there never was, as yet, any thing brought into either House of Parliament, that was really in itself useful and necessary for the publick Welfare, but what, by a proper Perseverance, was at last carried through and pass'd into a Law. Even a good Thing may, for a considerable Time, by many be mistaken; from private Passions and Prejudices, for want of being rightly understood, it may for some Time meet with Opposition, but Truth and Reason will always at last prevail, and when we are fully convinced of the Goodness and Usefulness of what is offer'd, it has always hitherto been found, that a Sense of our Duty has in both Houses of Parliament got the better of all other Passions which some Men might privately harbour in their Breasts. This, Sir, encourages me to persevere in what I have so often had the Honour to offer to this House, and to renew it again this Session, notwithstanding its bad Fate in former Sessions of Parliament. I am thoroughly convinced, that what I have to offer, is not only a good Thing, but absolutely necessary for the Preservation of our Constitution; and therefore I hope it will, by its own Weight, at last force its Way through the Opposition it has hitherto met with.

I believe, Sir, every Gentleman in the House, by this Time, supposes that I mean the Bill for making more effectual the Laws in being, for disabling Persons from being chosen Members of, or Sitting or Voting in the House, who have any Pension during Pleasure, or
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for any Number of Years, or any Office held in Trust for them. This is the Bill I propose to have renewed; and as this House has been fully apprized of the Contents of the Bill designed in former Sessions for these good and salutary Purposes, I have prepared a Bill which I have here ready to offer to the House, and which is the very same, Word for Word, with that which in the very last Session of Parliament had the Approbation of this House; I therefore think it quite unnecessary to move the House for Leave to bring in such a Bill; but my Motion shall be for Leave to bring up the Bill which I have now in my Hand.

Hence a Debate ensued about the meer Form of introducing the Pension Bill. Mr. *W^m Hughes*, for the Borough of *Droitwich*, in *Worcestershire*, first observes, That the constant Practice of the House, for a hundred Years past, has been to move for a Bill to be brought in, and not for Leave to bring it up to the Bar. Should this laudable Method be broke into, and the ancient Custom reviv'd for each Member to present what he pleas'd, they might be surpriz'd into Things very improper and inconsistent with the Dignity of the House. Wherefore, though he had nothing to say against the Bill, 'twas his Opinion the honourable Gentleman's Motion ought not to be comply'd with; and to wave the Question, call'd for the Order of the Day.

Here Sir *E^d Stanley*, for the County of *Lincoln*, stood up for the Motion, and declar'd, That he saw nothing in it irregular; for that Leave to bring in a Bill, or Leave to bring up a Bill, was in Effect the same Leave; nor could he conceive wherein lay the mighty Difference. Upon this Sir *W^m Young* spoke as follows:

SIR,

I DO not at all wonder to see the Gentleman who made the first Motion, persevere in the same Thing; but I must confess I am a little surprized to see several State Topicks every Year renewed and insisted on by some Gentlemen in this House, notwithstanding their having seen these Topicks so often disapproved of by a Majority of the House. As to these, I am really quite tired with hearing the same Arguments repeated over and over again every Session of Parliament: The honourable Gentleman should not have said, that the Bill

he

he mentioned had always passed, even in this House, without Opposition; there was generally some Gentlemen appeared against it, and even testified their Dislike to it: But let the Bill be what it will, let it be a good Thing, or let it be a bad Thing, the Manner in which the Gentleman desires to have it introduced, is very extraordinary. It is indeed a Privilege of the Members of the other House, that any Lord may offer a Petition or a Bill to the House without asking Leave of the House; but this Privilege the Members of this House have for the Sake of Decency and Order, given up long ago; and I can see no manner of Reason for our re-assuming it, or for our beginning now to extend our Privilege beyond what they have been for so many Years past. As to the bringing of Bills into this House, it is well known, that the usual Motion on such Occasions is for Leave to bring in such a Bill as is proposed; but this is a new Sort of Motion; it is a Motion for Leave to bring up such a Bill, which is a very extraordinary Sort of Motion, and such as I am sure there is in the present Case, no manner of Occasion for, and therefore I really think the Motion ought to be rejected, it ought to have a *Negative* put upon it; but since the worthy Gentleman near me has wayed that Point, and has moved for the Order of the Day, therefore I shall now only second his Motion.

Mr. P——r could not forbear taking Notice of what Sir William was pleased to say, touching the same Arguments, being repeated every Session of Parliament, tho' the Majority had often determined against them; adding, that whatever the worthy Gentlemen might think in that Respect, 'twas his Opinion the Majority could not alter the Nature of Right and Wrong; and for his Part, let the Majority determine as often as they would, yet he should always be ready to offer those Arguments, which he took to be good ones, against such as he thought were not so: As for the worthy Gentleman's being afraid lest the Members of this House should re-assume any antient Privilege, or extend those they at present enjoy, he saw no Reason for his being so cautious in that Respect, since what was proposed was in Effect no Re-assumption of any old Privilege, nor Extension of any Privilege they enjoy'd, 'twas at most neglecting only a Piece of Form upon an extraordinary Occasion, when there appear'd no manner of Use in observing it.

Mr. P——— was seconded by Sir J———, for the Borough of E———, who stood up for the Motion, and declar'd he saw nothing in it new or unprecedented, that he remembered there was a Bill presented in the House of late Years in the same, or rather in a more extraordinary Manner, and this was the last Suspension of the *Habeas Corpus* Act, when the Gentleman who brought in that Bill sitting close at the Bar of the House rose up, and after informing the House of the Danger the Crown and Kingdom were in from the rebellious Plots then carrying on, and the Necessity of empowering his Majesty to secure all suspected Persons, he told them he had prepared a Bill for that Purpose, and therefore mov'd for Leave to bring it up, which was immediately granted; and the Bill, to the best of his Memory, was read twice that Day, and order'd to be committed; that this was something more extraordinary than the Motion before them, because the Bill then order'd to be brought up had never been before the House, and by Consequence no Member could be any way apprized of the Contents thereof; whereas the Bill in Question has been before the House, and frequently had their Approbation. As for the Privilege inherent in every Member of this House, I believe there is none will dispute but that our antient Method has been for any Member to offer what he pleases. Sir W——— Y——— found himself here, in some Manner, obliged to explain himself with Regard to that part of his Speech which touch'd on the Privilege of Members. Accordingly he reply'd:

S I R,

THERE seems to be a Mistake as to what was said about the Members of this House not being allowed to bring in any Thing without Leave of the House: This has not properly any Relation with what are called the Privileges of this; it is only a Restraint that the Members of this House have thought proper to lay on themselves, for the more orderly carrying on the Publick Business, and to prevent any Thing that is trifling from being brought before us; and this Restraint has been found so convenient and so necessary for preserving the Honour and Dignity of the House, that it has never for many Years been departed from, but upon the most extraordinary Occasions.

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His Opinion was back'd by Mr. Chancellor of the Exchequer, who added that the President quoted by Sir *John Rushout* was on one of the most extraordinary Occasions that ever can happen, and in a Case that required the utmost Dispatch; that in short there was no Comparison between that Case and the Case before them; that the Case of the Bill did in no ways depend on this extraordinary Method, for should the Gentleman move in the usual Manner for Leave to bring in the Bill, and Orders should thereupon be given by the House to some Gentlemen to prepare and bring in the same, this Method would be no hindrance to the passing of the Bill, or occasion its being put off 'till the next Session of Parliament; upon which Mr. *Saudys* rose up and spoke the second Time as follows:

S I R,

I SHALL be very far from making any Comparisons between the Case in Hand, or between any Case, and that which immediately concerns the Safety and Preservation of the Crown: But, as I had assured you that the Bill which I have in my Hand was the very same with that which had before been approved of by this House, I thought it was quite unnecessary for the House to observe that Ceremony of ordering some Gentleman to prepare and bring in a Bill which was already prepared, and which the House has approved of in the very last Session of Parliament. This was my Reason for moving for Leave to bring it up. I do not desire to bring any Thing into this House without first having the Leave of the House for so doing; yet I cannot think, that though the antient Method of proceeding were revived, the House would be in any Danger of being surprized into any Thing: There is no Bill can pass in this House 'till it has been three Times read in the House, and has passed thro' a Committee of the House, and while those Forms are observed, the House never can be surprized into the passing of any Bill, even though we should again re-assume that Privilege of every Member's having a Power to bring into the House whatever he pleases. It is not the Restraint we have laid ourselves under, that prevents the House's being surprized; it is the Necessity of having the Bill so often read before it can pass; for when a Gentleman has moved for Leave to bring in any Bill for the Purposes he mentions, the House cannot know whether the Bill

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prepared and brought in be according to their Orders till it be once read in the House: Some Gentlemen might move for Leave to bring in a Bill, and upon their obtaining such Leave, and being ordered to prepare and bring in the same, they might prepare and bring in a Bill of a quite different Nature, but this would probably be discover'd on the first Reading, the Bill would without Doubt be thrown out, and whoever endeavour'd thus to impose on the House, would deserve, and would probably meet with a most severe Censure.

But the present Dispute is not whether any Thing shall be brought into the House without Leave; the whole Dispute really seems to be between the Words *to bring up*, and the Words *to bring in*; for my Part I am quite indifferent in this Affair; whether I have Leave to bring it up now, or to bring it in a little while hence, does not, in my Opinion, signify much; if I have Leave to bring it up, I must immediately take a Walk to the Bar; if I have Leave to bring in a Bill, and am order'd to prepare one for that Purpose, I shall take a Walk the same Way in a very little Time; this I do not take to be any material Difference. But as for the Bill itself, I do think it of such Consequence, that if there were any Method by which we could shew a more than ordinary Regard to the Bill, that Method ought certainly to be observed.

Then the Right Honourable Mr. S——r read from the Journal of the House of the ninth Year of his late Majesty's Reign, the Precedent mention'd by Sir J——n R——t, and said,

Gentlemen,

THE usual Method of proceeding in this House, as to the bringing in of Bills is, first, to move for Leave to bring in a Bill for such or such Purposes, and that being agreed to, the House then orders some of their own Number to prepare and bring in the Bill; this is the usual Method, but in the Precedent I have now read to you it appears, that the then Solicitor General moved for Leave to bring up such a Bill, which was granted, and he immediately brought up the Bill, and the same was read a first Time; from which it is plain that Mr. Solicitor, when he made his Motion, inform'd the House, that he had prepared such a Bill, and had it then ready to be laid before them, and there-
fore

fore he moved for Leave to bring it up, which it seems the House at that Time comply'd with.

Upon this, some Gentlemen in the House, suspecting that he was, in Pursuance of this Precedent, going to put the Question, on the Motion made by Mr. Sandys, they call'd out No, no. Whereupon he said,

Gentlemen,

AS to the Affair in Hand, or any Affair that comes before this House, I am not to appear of one Side of the Question nor of the other. It is my Business to take Care that the Orders and Methods of proceeding shall be regularly observed. In all Questions about Order I am to inform you, so far as consists with my Knowledge, of what has been formerly done in the like Cases; and I am to take Care that all Decency and Order shall be observed, both in our Debates and Proceedings: This is my Duty, and this I shall always endeavour to perform as far as lies in my Power: In all Cases I am to observe those Directions that the House shall be pleased to give; and in the present Case I only desire to know from you, what Method you will observe, whether you are inclin'd to follow the Precedent now read to you, or if you are inclined to proceed according to the Method usually observed: But I must put you in Mind, that if you proceed according to the usual Method, Decency requires that the Bill shall not be brought in immediately after the Order for preparing and bringing in the same; it is necessary that some Time should intervene between the Order for preparing it, and the presenting of it to the House, and therefore I must desire, that those Gentlemen who shall be order'd to prepare and bring it in, may not go immediately to the Bar, and tell us, that they have, according to Order, prepared such a Bill, and are ready to bring it in.

After this, Sir William Wyndham, for the County of Somerset, concluded the Debate in Manner following:

S I R,

IAm surprized to hear any Gentleman in this House find Fault with Gentlemen insisting upon their Opinions, notwithstanding their having been disapproved of by a Majority in former Sessions of Parliament. I do not think that the Majority's being of a contrary Opinion, can ever be made Use of as an Argument for

convincing Men that they are in the Wrong : The Minority, notwithstanding their being out-voted, may still have as good an Opinion of their Opinions, as the Majority have of theirs. It has often happen'd, that what has been disapproved of by the Majority in one Session of Parliament, has been approved of by a Majority in some future, perhaps in the very next Session of Parliament ; and even as to the Bill now in Hand, it has been two or three Times approv'd of by the Majority of this House, and as often rejected or disapproved of by the Majority of the other House ; what their Reasons were I do not know, but I am of Opinion, that the same Reasons against the Bill ~~were~~ not offer'd to the Members of this House, that were offer'd to the Members of the other ; for if they had, it would probably have been disapprov'd of, and rejected by the Majority even of this House. From hence it appears, that the Majority's being of any one Opinion, is no infallible Sign of that Opinion's being right. This, Sir, I thought myself obliged to take Notice of, that those Gentlemen who happen to be generally of the same Opinion with the Majority, may not from thence conclude that they are certainly right. As to the Matter now in Dispute, I really think it is of no Moment : Whether the Gentleman shall have Leave to bring up the Bill, or to bring in a Bill, is to me a Matter of so much Indifference, that I cannot find out a Reason why the Gentleman's Motion should have been oppos'd ; for to order a Gentleman to prepare a Bill, after he has told us that he has prepared one, and that it is the very same with what the Majority of this House has in former Sessions approved of, really seems to me to be a little incongruous : I can find out no Reason for Gentlemen's insisting upon this Piece of Incongruity, unless it be that they have a Dislike to the Bill itself. We certainly ought in general to observe the usual Method of Proceedings ; but surely, we ought not to observe any customary Method, when the observing it appears to be in itself absurd.

Mr. Sandys at last not insisting on his Motion, but agreeing to have the Bill brought in according to the usual Method, the Question was put for Leave to bring in a Bill for making more effectual the Laws in Being for disabling Persons from being chosen Members of, or sitting or voting in the House of Commons, who have any Pension during Pleasure, or for any Number of Years, or any Offices held in Trust for them ; which

was agreed to without any Opposition; and Mr. Sandys and Sir Edward Stanley were order'd to prepare and bring in the same. Then the House resolv'd itself into a Committee of the Supply, and as soon as that was over, Mr. Sandys presented the said Bill to the House, which was received and read the first Time, and order'd to be read a second Time.

On Friday the 2d of February, the House of Commons resolv'd itself into a Committee to consider further of the Supply granted to his Majesty, in which Committee (the Secretary at War being then ill, and not able to attend the House) Mr. Andrews for the Borough of Hindon in Wiltshire moved, That the Number of effective Men to be provided for Guards and Garrisons in Great Britain, and for Guernsey and Jersey for the Year 1733, be (including 1815 Invalids, and 555 Men, which the Six Independent Companies consist of, for the Service of the Highlands) 17709 Men, Commission and Non-Commission Officers included.

This Motion was seconded by Mr. Whitworth, for the Borough of Minehead in Somersetshire; and in Opposition thereto, the Right Honourable the Lord Morpeth, eldest Son to the Earl of Carlisle, for Morpeth in Northumberland, moved, that the Number should be only 12,000 effective Men, in which he was seconded by Mr. Harley, for the County of Hertford.

Upon which a warm Debate arose, of which I shall only take Notice of the most remarkable Passages.

The principal Speakers, besides the two Gentlemen above mention'd were,

For the first Motion.

Sir Thomas Robinson for the Borough of Morpeth in Northumberland.

Sir Richard Lane for the City of Worcester.

Sir Archer Croft for the Borough of Beeralston in Devonshire.

Sir William Yonge.

The Hon. Henry Pelham for the County of Sussex.

Horatio Walpole, Esq; for the Town of Yarmouth, and Mr. Chancellor of the Exchequer.

For the Second Motion.

Tho. Bramstone, Esq; for the Borough of Malden in Essex.

John Rolle, for the County of Devon.

Sir John Barnard.

The Master of the Rolls,

William Shippen, Esq;

Sir William Wyndham.

Tho. P——r for the Town of Bridgewater in Somersetshire.

Tho. W——m for the Borough of Sudbury in Suffolk.

The Hon. Edward Digby, Esq; for Warwickshire.

William

William Pulteney for the Borough of Heydon in Yorkshire.

Sir John St. Aubin for the County of Cornwall.

Sir Tho. Sanderson for the County of Lincoln.

Sir John Hinde Cotton, for the Town of Cambridge.

The chief Arguments made Use of in general by those who were for the first Motion were, That tho' the publick Tranquillity of *Europe* was now established; yet the Preservation thereof depended on so many Accidents, that it could not be certainly rely'd on, and therefore we ought always to be in such Circumstances, as to be able not only to defend ourselves, but likewise to fulfil all our Engagements to our Allies: That there was still a very powerful and considerable Party in the Kingdom, firmly attached to the Interest of the Pretender, and daily watching for an Opportunity to disturb the Quiet of the Nation, by endeavouring to overturn the present happy Establishment; and therefore it was necessary to keep up an armed Force sufficient to dissipate any sudden Insurrection that might be raised by such Men: That this Party was still the more audacious, and the more to be dreaded, because they were encouraged and spirited up by a great many scandalous and seditious Libels, which were daily spread abroad even by those who pretended to be Friends to the Protestant Succession, and to the illustrious Family now on the Throne.

Sir Archer Croft said, That the continuing of the same Number of Forces was the more necessary, because to his Knowledge Popery was increasing very fast in the Country, for that in one Parish which he knew, there were no less than seven Popish Priests; and that the Danger from the Pretender was the more to be feared, because they did not know but that he was then breeding his Son a Protestant.

Mr. Chancellor of the Exchequer took Notice, That a Reduction of the Army was the chief Thing wished for and desired by all the *Jacobites* in the Kingdom; that no Reduction had ever been made, but what gave fresh Hopes to that Party, and encouraged them to raise Tumults against the Government; and he did not doubt, he said, but that if they should resolve to reduce any

any Part of the Army, there would be Post-Horses employ'd that very Night, to carry the good News thereof to the Pretender and his Adherents beyond Seas.

To which Mr. *Horatio Walpole* subjoined, That the Number of Troops then propos'd was absolutely necessary to support his Majesty's Government, and would be necessary, as long as the Nation enjoy'd the Happiness of having the present Illustrious Family on the Throne.

The chief Arguments made Use of in general, by those that were against the first Motion were,

That if they gave any Credit to his Majesty's Speech from the Throne at the Opening of the Session, which they were in Duty bound to do, the Tranquillity of *Europe* never was, nor ever could be on a more firm Basis than it was at present, and therefore a Reduction was now to be made in the Army, or such Reduction was never to be expected. As to the Pretender, they did not believe that there was any considerable Party for him in this Nation : That that Pretence had always been a Ministerial Devise made Use of only for accomplishing their own Ends ; but that it was in reality a meer Bugbear, a Raw Head and Bloody Bones, fit only to frighten Children ; for that they were very well convinced his Majesty reigned in the Hearts and Affections of his People ; upon that his Majesty's Security depended ; and if it did not depend on that, the Illustrious Family now on the Throne could have but little Security in the present Number, or in any Number of Standing Forces, that could be kept up for its Defence : That if there was any Disaffection, or any Discontent in the Nation, it was owing to the keeping up of such a numerous Standing Army in Time of Peace within this Kingdom, whereby the People were subjected to many Loads and Hardships which they were never before acquainted with : That the People of *England* had never gone into any violent Measures, or carry'd their Resentment to any Pitch against the Prince upon the Throne, but when the Prince, or those employ'd by him, were first in the Fault : That this Maxim was so generally true, that in our whole History, there was no Instance to the contrary, but only that which happen'd in the Reign of King *Charles I.* and that therefore, if there was any Uneasiness among the People, the proper Remedy was, to remove those Things which were the Causes thereof : If the Ministers should change their Measures, the People would certainly alter their Minds. That the *Dutch*

were

were by the Situation of their Country in a much more dangerous State than we are or can be in, and yet the *Dutch* had then resolved on a Reduction of their Army, and therefore they thought we could have no Pretence for continuing ours.

Sir *William Wyndham* began first with observing, That though the general Arguments in the Affair before them, had often been canvassed in that House, yet, *says he*, the Debate of this Day seems to me something new: In former Years the Gentlemen who were pleased to argue for the Continuance of a numerous Standing Army in Time of Peace, always argu'd for the Continuance thereof only for one Year longer; but Gentlemen have now thrown off the Mask, and are become daring enough to declare, that the same Number of Forces must always be kept up: A numerous Army must for ever be continu'd, and be made, as it were, a Part of our Constitution. We have already continu'd the Army so long, that some Gentlemen have told us to Day, what no Man would have ventur'd to have told us a few Years ago; and if we continue the same Army but a little while longer, it may be in the Power of some Gentlemen to talk to this House in Terms that will be no Way agreeable to the Constitution or to the Liberties of our Country. To tell us, Sir, that the same Number of Forces must be always kept up, is a Proposition full fraught with innumerable Evils, and more particularly with this, that it may make wicked Ministers more audacious than otherwise they would be, in projecting and propagating Schemes which may be inconsistent with the Liberties, destructive to the Trade, and burthensome on the People of this Nation. In Countries which are governed by Standing Armies, the Inclinations of the People are but little minded, the Ministers place their Security in the Army, the Humours of the Army they only consult, with them they divide the Spoils, and the wretched People are plunder'd by both.

In this Country, Sir, his Majesty has the Hearts, the Hands, and the Purses of all his Subjects at his Service, and may he have them always at his Service; but I hope they will never be in his Power. His Majesty desires no such Thing; he never can desire it; he depends only on the Affections of his People; and therefore I am convinced that the Demand of so numerous a Standing Army, never could come from him: It is no Way necessary for his Support, whatever it may be for the

the Support of those who now desire to have it continued.

During this Debate, Mr. Rolle said, amongst other Things, that to him it appear'd, in order to preserve ourselves against one who might perhaps prove a Tyrant, we were going to establish 18,000 Tyrants, and to make their Establishment in some Measure a Part of our Constitution: And that in order to be free of a Religion which we think a bad one, we are resolv'd to have none at all: That as to the Party which the Pretender had in this Nation, he could not believe, *he said*, there was any such Thing: It was nothing but a mere Pretence, and the making Use of that Pretence on all Occasions, really could not but make him recall to Mind that wicked and blasphemous Saying of Pope Leo X. who on Occasion of a Procession's passing by while he was at an elegant Entertainment, said to his Cardinals, *Quantum profuit nobis hæc fabula Christi!*

This Speech, which was all extremely good, was concluded with these Words: Let us, *says he*, do as our Forefathers used to do, *Let us remove the Wicked from before the King, that so his Throne may be establish'd in Righteousness.*

Mr. Pulteney dropp'd a great many smart Expressions on this Subject; amongst other Things he said, he could not but be diverted with some Arguments that were then, and had been on former Occasions made Use of for keeping up a Standing Army in Time of Peace. Last Year we were told, that a Popish Solicitor was a dangerous Man to the Government, and now that Popish Solicitor has spawn'd out seven Popish Priests, and even the Pop. Horses I find have join'd in this traiterous Confederacy.

The Reply to the Argument brought from the Reduction of the Dutch Forces was, That the Reduction mention'd was not then agreed to by the States General: It was a great Question, whether it would or no, and if it should, it was only a Reduction of the last Augmentation, whereas the last Augmentation had been reduced by us long ago; so that the Dutch were now only a going to make that Reduction, which we had made upon the first Prospect we had of seeing the Tranquillity of Europe establish'd; and that the Reduction propos'd in Holland should be made by them, yet they would still have in Proportion a much greater Number of Standing

Forces, than what was then proposed to be kept up in this Kingdom.

Mr. Chancellor of the Exchequer told the House, he could not but take Notice of an Observation he had heard made, as to the People's never carrying their Resentment to any Pitch against the Prince upon the Throne, unless the Prince, or those employ'd by him, were first guilty of some Fault. The Gentleman *says* he, was pleas'd to admit of one Exception to this Rule, and that was in the Case of King *Charles I.* But the Gentleman ought, I think, to have admitted of another Exception, and that was in the Time of the King the very last upon the Throne; I do not know what Pitch of Resentment the Gentleman may mean, but I am sure there were some People who carry'd their Resentment against that King to a very high Pitch, and it cannot be said that he was ever guilty of any Fault; nor will it be said, I believe, that those employ'd by him had then, at least, been guilty of any Fault; yet some People carry'd their Resentment so high, that they appear'd in Arms, in order to dethrone him; thank God, they did not succeed in their Attempt, they happen'd luckily to be defeated by the small Number of Regular Forces we had then in the Kingdom, which were much inferior to them in Number; such was our great good Luck at that Time; but I must say, that those Gentlemen who desire to have the Country left as void of Defence as it was at that Time, can have but little Regard for our present happy Constitution, or for the Security of the Illustrious Family now upon the Throne.

At last the Question was put on the Motion made by Mr. *Andrews*, and it was agreed to, 239 to 171.

On Monday the 5th of *February*, this Resolution of the Committee of Supply was reported to the House, and thereupon *Watkin-Williams Wynne*, Esq; for *Denbighshire*, stood up, and moved for the Recommitting of that Resolution; which Motion was seconded by *William Bromley*, Esq; for the Town of *Warwick*; and thereupon ensu'd a new Debate, wherein the principal Speakers for recommitting, besides the two Gentlemen just named, were, Sir *John St. Aubin*, Mr. *Sandys*, Sir *Wilfrid Lawson*, *William Gwyn Vaughan*, Esq; *George Heathcote*, Esq; and *Tho. Wyndham*, Esq; And the principal Speakers against recommitting, and for agreeing with the Committee, were, the Lord *Hervey*, the Lord *Mait 15*, Mr. *Danvers*, Mr. *Clutterbuck*, Mr. Attorney General, and Col.

B. den.

Bladen. In this Debate the Arguments made Use of on both Sides, were much the same with those made Use of in the Committee, and therefore we shall pass them over; only Mr. *Clutterbuck* having said, that he wonder'd to see Gentlemen so jealous of Encroachments upon our Constitution, at a Time when it was in its greatest Vigour, and shone forth in its purest Lustre; Mr. *Wyndham* in answer to him, gave the House a very Succinct and exact historical Account of our Constitution, and of the several Dangers it had been in, and the Changes it had gone through; and from thence he shew'd, that it was very far from being now in its greatest Vigour, but that on the contrary, there were many bad Customs had crept in of late, which were of dangerous Consequence to our Constitution, and might prove to be the Cause of its Overthrow, if some effectual Remedy was not speedily apply'd.

At last the Question was put for recommitting the above mention'd Resolution of the Committee, which was carry'd in the Negative, 207 to 143; after which, the said Resolution, and the other Resolution the Committee had come to, were agreed to by the House, without any Amendment or Division.

Then the Lord *Morpheth* rose up, and in a short and pathetick Speech represented the bad Circumstances of the Nation, by Reason of the great Debts and the many Taxes the People groan'd under, and therefore concluded with a Motion, That an humble Address be presented to his Majesty, humbly to desire his Majesty, that he would be graciously pleased, from his earnest Desire to ease his People of every Charge not absolutely necessary, and his Regard to the Constitution of this Kingdom, to take the first favourable Opportunity of making a Reduction of those Forces, which this House hath voted in Pursuance of the Estimate laid before them by his Majesty's Direction.

This Motion was seconded by Mr. *Sandys*, and the other chief Speakers in Favour of it were, Sir *William Wyndham*, Mr. *Pulteney*, Mr. *Shippen*, and Mr. *Heathcote*. The Arguments made Use of in general were, the great Necessity that there was for taking all Opportunities to reduce the Publick Expence; that thereby some of those Taxes might be taken off, which at present lay so heavy on our Trade and our Manufactures, that most of our Neighbours were enabled to undersell us in foreign Markets: That the keeping up of a Standing Army in

Time of Peace, without any absolute Necessity for so doing, was altogether inconsistent with the Liberties of this Nation: That though there might be at present an absolute Necessity for keeping up the Number of Forces agreed to by that House, yet that Necessity might cease in a few Months, perhaps in a few Weeks; and if so, it would then become necessary both for the Ease of the Nation, and for the Preservation of the Constitution, to disband some of them: That though the King was always to be presumed to be thoroughly acquainted with the Circumstances of the Nation, and always inclined, to do that which might most contribute to the publick Welfare; yet it had always been the Custom of that House, and was the Duty of the House, to address the King upon Matters of very great Consequence; in order to recommend to his Majesty those Measures which they thought would conduce most to the Happiness and Safety of the Nation.

The Speakers against this Motion were, Mr. Solicitor General, the Lord *Hervey*, *Henry Pelham*, Esq; and Mr. Chancellor of the Exchequer; and their Arguments in general were, that the presenting of such an Address, was in some Measure inconsistent with the Resolution they had just then agreed to: It was resolving that the Number of Forces for the Year 1733, should be so many; and addressing that they should not be so many; that these two Resolutions following one another upon their Journals, would appear to be very extraordinary: That besides, the presenting of such an Address would be disrespectful to his Majesty, in so far as it would be a Sort of Insinuation that his Majesty might neglect taking the first Opportunity of reducing the Army, and thereby lessening the publick Charge; and as they never yet had the least Occasion to suspect any such Thing, it would be now unjust to harbour any such Suspicion: That in many Cases it might be the Custom, it might be the Duty of that House, to address the Throne on particular Emergencies; but in a Case that regarded his Majesty and his Administration in such a general Manner, as the Case in Hand did, it would be most disrespectful; they might as well address his Majesty to govern according to Law, or not to encroach upon the Constitution, and an Address in such Terms would, they believe, be allowed to be shewing a very high Disrespect to the King upon the Throne.

In this Debate Mr. Shippen having insisted a good deal on his Majesty's knowing how much the Nation was loaded with Debts and Taxes, and how inconsistent it was with our Constitution, to keep up a Standing Army in Time of Peace, and that therefore his Majesty, he was sure, would not look on their presenting of such an Address as any Way disrespectful to him; and some of his Expressions on this Subject having been taken Notice of, and pretty much inveighed against by the Gentlemen on the other Side; Mr. Shippen, in his Reply, said, That he could not but look on himself as a very unfortunate Man, for that in the late Reign he had incurred the Displeasure of many Gentlemen, and had undergone a severe Censure of that House, for saying that it was one of the greatest Misfortunes of his late Majesty's Reign, that he did not know our Language, and was unacquainted with our Constitution; and now, *says he*, I find I have disobliged several Gentlemen by saying that his present Majesty well knows the Circumstances of the Nation, and is acquainted with our Constitution. But let them take it as they will, I must think that his Majesty is thoroughly acquainted with both, and that therefore he will look upon such an Address as proceeding from that honest Care and Concern which we ought to have for those who send us hither, and not as proceeding from any Disrespect towards him. His Majesty cannot be displeased therewith, and those we represent must be highly pleased to see us so watchful of all Opportunities to lessen their Charge, and to recommend their Ease and Advantage to the Crown.

At last the Question was put, and the House came to a Division, but it was carry'd in the Negative, 203 to 136.

On the 7th Day of February, being the Day on which the House of Commons was (according to Order) to resolve itself into a Committee to consider of Ways and Means for raising the Supply granted to his Majesty; the following Motion was made, *viz.* 'That this House will raise the necessary Supplies for the current Service of this Year, without creating any new Debt upon any Fund whatsoever.' This Motion occasion'd a long Debate, but at last, upon the Question's being put, it was carry'd in the Negative; after which, they went into the said Committee, but the Affair against which the above Motion was designed, did not come on that Day.

On the Thirteenth of February Sir Wilfrid Lawson rose up and spoke on the Spanish Depredations as follows:

S I R,

THE many and great Losses our Merchants have sustained by the Depredations committed on them by the *Spaniards*, are, I believe, well known to every Gentleman in this House, and it is likewise known that by the second Separate Article of the Treaty of *Seville* all those Affairs were to have been settled and adjusted in the Space of three Years: These three Years are now expired, but I do not know that any Body knows how any of those Affairs have been settled and adjusted, at least I cannot hear of any one of our Merchants who has met with any Redress.

As the Time is now expired, I hope our Merchants have already got, or are very soon to receive a sufficient Reparation for all their Sufferings; this I hope for, and I should be extremely glad to have my Hopes confirmed; it is an Affair on which the Happiness of many private Men depends, and is of so much Consequence both to the Honour and Trade of this Nation, that it is incumbent upon us, as Members of this House, to enquire into it; and therefore I shall move, than an humble Address be presented to his Majesty, that he will be graciously pleased to give Directions, that there may be laid before this House, Copies of the Reports made by his Majesty's Commissaries in *Spain*, together with all Letters and Papers relating thereto; and what Satisfaction has been made to the Subjects of *Great Britain* for the Losses they sustained by the Depredations of the *Spaniards* in *Europe*, or in the *Indies*, pursuant to the second Separate Article of the Treaty of Peace, Union, Friendship, and mutual Defence between the Crowns of *Great Britain*, *France* and *Spain*, concluded at *Seville* on the 9th of *November*, 1729.

This Motion being seconded with Warmth, a Debate ensued, upon which Mr. Chancellor of the Exchequer found it advisable to acquaint the House, That such an Address as has been moved for, may, if Gentlemen insist on it, be presented to his Majesty, but I can now assure you, that there is as yet nothing that his Majesty can lay before you; for though by the Treaty of *Seville* the Commissaries of the two Nations were to settle all the Affairs referred to them by that Treaty, within the

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Space of three Years from the Date thereof, yet by Reason of several unforeseen Accidents, they never could meet so as to enter upon, or do any Business till the Month of *February* last: Since that Time they have been proceeding upon the Affairs referred to them; but as yet there is nothing brought to that Maturity, or formed into such a Shape, as to be proper to be laid before this House. The Delays they at first met with, made it necessary to prolong the Time for settling and adjusting those Matters, and therefore it has been agreed between the two Nations, that the three Years shall be computed from that Day in *February* last, on which the Commissioners first met; and by that Time it is to be hoped that all those Affairs will be settled in such a Manner, as will give full Satisfaction to every Member of this House, and full Reparation to every one of the Subjects of Great Britain, who has met with a real Injury from the Spaniards.

Here Mr. Pulteney answer'd as follows:

S I R,

THERE is a Term made Use of in the Exchequer called *Nichil*, which Term has been some Times made Use by the Gentleman who spoke last, and has often been given as an Answer to this House, when Accounts of the Produce of some certain Branches of the Revenue have been called for. Now as to the present Affair, it may be that there has not as yet been any Thing done, or at least not brought to Maturity, and formed into such a Shape as to be proper to be laid before this House: This, I say, may be the Case, though I must say it is a little surprizing, that in so long a Time there should have been nothing done; however, supposing that it is the Case, yet his Majesty may give us this Exchequer Term for Answer; he may tell us that there has not as yet been any thing done: It is from his Majesty only, that this House can properly have an Answer; even such an Answer we are not to take from any Member of this House, or from any Subject whatsoever. And as the presenting of such an Address to his Majesty will shew our Constituents that we are careful of the Affairs of the Nation, and have a Concern for the Merchants who have been so great Sufferers by the Depredations committed by the Spaniards; therefore I am for agreeing with the Motion.

Service certainly be. This I know to be the Case as to the Gentlemen that are employed, but if it were otherwise, his Majesty could certainly take Care that no unnecessary Delays should be allowed in an Affair of such Consequence, and certainly will lay before this House an Account of all the Proceedings in that Affair as soon as it can be conveniently done; and therefore I must be of Opinion, that there is no Occasion for our presenting any such Address as has been moved for.

Mr. *Pulteney* reply'd on the other Side :

SIR,
WE may always depend on it, that his Majesty will take all possible Care of this, as well as of every other Affair that regards the Honour or the Happiness of the Nation; but in all Affairs his Majesty must employ others under him, he must necessarily employ Ministers, and other inferior Agents to transact and manage the publick Affairs of the Nation; and as they may be dilatory or negligent, therefore it is the Duty, and has always been the Practice of this House, to enquire into the Management of Affairs of great Consequence. In the present Case, I am for the Address proposed, because it will be a Spur to the Ministers, to procure as speedy and as ample a Satisfaction to our injured Merchants, as they can possibly get. Our having taken Notice in the last Session of Parliament of the *Spanish* Depredations, procured, I believe, those Commissions and Instructions which were last Summer sent to his Majesty's Ships of War in the *West Indies*. That, I believe, was the chief Cause of sending some of our Ships to the *Spanish* Coast to demand Satisfaction for *English* Merchant Ships which they had violently taken, and unjustly confiscated. One of these Captains did accordingly, in Pursuance of the Instructions he had received, send his Boat with his Lieutenant and some of his Sailors on Shore, to demand the Satisfaction proposed; but the *Spaniards* were so far from complying with so just a Demand, that they added a new Affront, and made the Lieutenant and the Men Prisoners; whereupon he, like a brave, honest, downright *English* Captain, did what he ought to do, he seized the first *Spanish* Ship he could meet with; but I have been since informed, that this *Spanish* Ship has been restored, tho' the *English* Ship has neither been restored, nor have the Owners met with any Satisfaction for the Damage and

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Loss they have sustained. How this came about, how we came to restore this Ship to them, before they had agreed to release our Ship, is more than I know, or can comprehend; for as they had done the first Injury, they ought, in my Opinion, to have been obliged to have made the first Reparation. As to the Gentlemen that are employ'd as our Commissaries in *Spain*, *I do not know whether they despise their Salaries or no, but I am sure, if they continue as long in *Spain* as one Gentleman seems apprehensive they may, it will verify what I said in this House in Relation to those Affairs, that it would have been better for the Nation, and more to the Satisfaction of the Sufferers, to have given up the Affair at first, and to have given the Sum of Money which such Commission might have cost the Publick, to be divided among our Merchants, who had been robbed and plunder'd by the *Spaniards*; for even as it is, I am afraid that if the Charges that that Commission has already, and will stand the Publick in, were to be deducted from the Sum which we may recover from the *Spaniards* by Way of Reparation, there will very little remain to be divided among the Sufferers.

Here Mr. Chancellor of the Exchequer observed, that wherever the Honourable Gentleman who spoke last got his Information in Relation to the Restitution of the *Spanish* Ship he made Mention of, to his Knowledge it was erroneous, for that at the same Time, Orders were sent from hence for releasing the *Spanish* Ship, Orders were in like Manner sent from the Court of *Spain*, for releasing and restoring the *English* Ship and Cargo, which they had before taken, and that her not being restored was no Neglect either at this or the *Spanish* Court, but to the Excuses, Shifts, and Delays of his Catholick Majesty's Governors in the *West-Indies*; who, notwithstanding express Orders from their Court for delivering up the Ship and Cargo, had found some new Pretences for delaying it.

If this be the Case, reply'd Mr. Plumer, as the honourable Gentleman who spoke last is pleased to assure us, I cannot but with Pleasure observe, that if ever any future War should happen between *Spain* and us, we must certainly get the better of them; for our Governors and Officers in the *West-Indies* are, it seems, most punctual and exact in observing and obeying the Orders and Instructions they receive from hence, even

tho' they may be perhaps not much to their own private Liking; whereas on the other Hand, it appears that his Catholick Majesty's Governors and Officers in those Parts have but little Regard to the express Orders they receive from him; his Majesty, it seems, has no Authority over his own Officers, and consequently in Case of a War between us, we would have a very considerable Advantage over that Nation.

There were other Gentlemen spoke against Addressing, but as all the Speakers against it seemed to be pretty indifferent, and the Gentlemen of the other Side insisting upon their Motion, therefore it was at last agreed to without any Division; and the Address having been accordingly presented, Mr. Comptroller reported to the House on the 16th, his Majesty's Answer, which was thus:

THAT although by the Treaty of Seville, the Commissaries on the Part of Great Britain and Spain were to meet within four Months after the Exchange of the Ratification of that Treaty, and their Commissions to continue for three Years from the Date of the said Treaty; and altho' his Majesty's Commissaries were appointed on the 2d of April 1730, yet by several unforeseen Accidents, the Meeting of the Commissaries in Spain was so long delay'd, that the first Conferences were not open'd till the 23d of February 1732, N.S. and that as so much Time was elapsed before the opening of their Commissions, it has been since agreed between the two Crowns, that the three Years for which the Commission of the said Commissaries shall be computed from their first Meeting on the 23d of February last; which makes it impracticable for his Majesty to give the proper Orders, for laying a perfect Account before this House, of what is desired in their Address.

On the 14th of February, the House of Commons resolved, that it would on Tuesday Morning then next resolve itself into a Committee of the whole House, to consider of the State of the Trade of his Majesty's Sugar Colonies in America; but upon the said Tuesday it was put off till next Day, being Wednesday the 21st of February, when the House did resolve itself into the said Committee, and Mr. Wynn moved for a Resolution, That no Sugar. Paneels, Syrops, or Melasses, nor any Rum or Spirits, except of the Growth or Manufacture of his Majesty's Sugar Colonies in America,

should be imported into *Ireland*, but from *Great Britain* only.

This Motion was opposed by Mr. *Carey*, Representative in Parliament for *Elifton*, &c. who said in Substance, That he would with all his Heart join in any proper Measures that could be proposed for encouraging our Sugar Colonies, but he could not agree to the altering the Laws as they then stood, with respect to the Importation into *Ireland*: That the allowing of Rum to be imported directly into *Ireland* from any of our Colonies in the *West-Indies*, was with Design to discourage as much as possible the Consumption of *French* Brandies in that Kingdom; which Design would be entirely overthrown by the Resolution proposed, if any new Law should be made in pursuance thereof; for if it should be made necessary to bring Rum to, and enter it in *England*, before it could be carry'd to *Ireland*, it would very much enhance the Price of that Commodity, by which the Consumption thereof would be discouraged and diminished, and the Consumption of *French* Brandies would consequently be increased: That he thought it was unreasonable to lay such a Restriction on the Trade to *Ireland*, because that Kingdom was a Part of our own Dominions, and contributed very considerably to the Riches and Power of *England*: That besides, if a Law should be made in the Terms of the Resolution proposed, it would probably embroil us with some of our Neighbours: That he did not know but the *French* would look upon it as a Breach of that Article of the Treaty of *Utrecht*, by which it was stipulated, that the Trade between *France* and us should remain on the same Footing it was on at that Time; and the *Portuguese* would certainly look on it as a Breach of the Treaties of Peace and Commerce subsisting between us and them, because, by such a Law the Importation of *Portugal* Sugars directly into *Ireland*, would be expressly prohibited.

He was answer'd by Mr. *Scrope*, for the City of *Bristol*, who spoke for the Motion as follows, That as to the enhancing of the Price of Rum in *Ireland*, and thereby discouraging the Consumption thereof in that Kingdom, there was no such Consequence could ensue from the Resolution proposed, or from any Law that could be made in Pursuance thereof, because there might still be as much Rum as was requisite for the Consumption in that Kingdom imported directly thither from our own Sugar Colonies in *America*; what was proposed by the

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Resolution moved for, was only to prohibit the direct Importation of any of the Commodities mentioned therein, from any of the other Colonies in *America*, and we had very good Reason for making such a Prohibition, because it appeared that what was imported directly into *Ireland* from the other Colonies, was generally the Produce of the Foreign Sugar Colonies in that Part of the World, whereby the Trade of those Colonies was very much encouraged and improved, to the Ruin of our own Sugar Colonies in *America*: That though we were to look upon *Ireland* as a Part of our own Dominions, yet we ought not to allow them to encroach upon any Branch of the Trade of *England*: It was very well known that they were always endeavouring to encroach upon our Trade; and if we did not take Care to keep that Country under the Yoke, they might in Time grow so rich as to be able to throw it off, which they would perhaps willingly do, if ever it should happen to be in their Power: That as to *Portugal*, some Words might be put in, or some Proviso added, for obviating any Exception that might be taken by them.

Here Mr. *Dodington* for *Bridgwater* in *Somersetshire* said, He was sorry to differ from his honourable Friend that sat by him, but that he had always look'd on Prohibitions in Trade as of dangerous Consequence, and that therefore no Prohibition ought ever to be laid on it, but such as are in their own Nature absolutely necessary: That we had no Reason to be jealous of *Ireland*, or to lay them under many Restraints and Prohibitions; that Country had always appeared loyal and zealous for his Majesty, and for the present Royal Family; they had generally behaved as good Subjects, at least for many Years last past; and he believed the best Way to keep them so, was to give them all proper Encouragement, and to shun as much as possible laying them under any particular Restraints or Disadvantages: That he looked on that Kingdom in a very different Light from what some other Gentlemen seemed to view it in; the People thereof he always consider'd as a Part of ourselves, and he hoped they, or at least the most of them, never did, nor ever would look upon themselves as being under any Yoke, but that of the Government, and the Laws of their Native Country.

Mr. *Horatio Walpole* observed next, that as to what was proposed by the Regulation moved for, he could perceive nothing therein contrary to the Treaties of Peace

Peace and Commerce subsisting with Foreign Powers, 'twas a Regulation of Trade only within our own Dominions, and had no Relation to that of our Neighbours. If we were to prohibit the Importation of any one of their Commodities into any Part of the *British* Dominions, they might perhaps have Reason to take it amiss; they might say, that such a Prohibition was an Infringement of some of the Stipulations subsisting between us; but what was now proposed, was not a general Prohibition, it was only the appointing of such particular Places within our own Dominions for the Importation of such Commodities, and prohibiting the importing of them at some other Places: As this regarded only our Trade among ourselves, no foreign Power could take any just Exceptions thereto; but however, since there was no Design of prohibiting the Importation of *French* Spirits, or *Portugal* Sugars directly into *Ireland*, therefore he would propose an Amendment, and that the Resolution should be in the Terms following, *viz.* That no Sugar, Paneels, Syrups, or Melasses, of the Growth, Product, or Manufacture of any of the Colonies or Plantations in *America*; nor any Rum or Spirits of *America*, except of the Growth or Manufacture of his Majesty's Sugar Colonies there, be imported into *Ireland*, but from *Great Britain* only.

The Resolution being thus amended, it was agreed to without any Division; and then

Mr. Wynn stood up again and mov'd, ' That a Duty of 4 s. per Hundred Weight, Sterling Money, be laid on all foreign Sugars and Paneels imported into any of his Majesty's Colonies or Plantations in *America*.' Which was agreed to without any Opposition.

Then Colonel Bladen moved the two following Resolutions, *viz.*

' 1. That a Duty of 6 d. per Gallon, Sterling Money, be laid on all foreign Melasses and Syrups imported into any of his Majesty's Colonies or Plantations in *America*.' And

' 2. That a Duty of 9 d. per Gallon, Sterling Money, be laid on all foreign Rum imported into any of his Majesty's Colonies or Plantations in *America*.'

Sir John Barnard opposed the said Resolutions as follows: That as the Trade then stood, between our Northern Colonies and the *French* Sugar Islands, it appeared that our Colonies bought Melasses of them at a very low Price, and distilled them into Rum, by which they

provided themselves at a small Charge with the Rum that was necessary for them in their Trade with the *Indians*, and in their Fishing Trade; they had, it was true, most of the Materials for making this Rum from the *French*; but then the Manufacture was all their own, and thereby a great many of our Subjects in that Part of the World were employ'd and maintain'd: That by laying such a high Duty on *French Melasses*, we should lay them under a Necessity of manufacturing it themselves, so that our Subjects would lose all that Employment, and instead of buying Melasses in their natural Dress from the *French*, as they did formerly, they would be obliged to purchase the same Melasses manufactured into Rum, whereby the *French Sugar Islands* would take of them at least three times the Money they took formerly. *That as Melasses was a Bulky Commodity, it would not be easy to run them into any of our Northern Colonies, so that the *French* would be laid under an absolute Necessity of manufacturing them into Rum, and when manufactured into Rum, it would be easy to carry that Rum and sell it in a Smuggling Way to our Fishing Vessels at Sea, and even to run it into every one of our Colonies on the Continent of *America*. The Sea-Coasts belonging to us in that Part of the World were of such a vast Extent, and so many little Harbours and Creeks to be every where met with, the Roads so little frequented, and the Towns so open, that it would be impossible to prevent the Running of *French Rum* on Shore, or the Conveying it from one Town to another after it is landed. No, not even if we should send thither the whole Army of Excise Officers which we have here at home. The sending them thither, might, indeed, add a good deal to our Happiness in this Country, but all of them together could be of no Service for such a Purpose in that Country. That as to the laying a Duty both upon foreign Rum and Melasses, he would not be altogether against it, but then it ought to be only a small Duty, for the Sake of giving an Advantage to our own Sugar Colonies in that Respect, not such a high Duty as was in a Manner equal to a Prohibition; for that was really granting a Monopoly to our Sugar Islands, with respect to a Commodity that is absolutely necessary for our Northern Colonies both in their Fishing Trade, and in their Trade with the native *Indians*; and as the *French* were our Rivals likewise in both those Trades, we were about giving them

duct and Manufacture of his Majesty's Colonies and Plantations in *America*, into *Great Britain*, be drawn back on Exportation of the same.

2. That a Drawback or Allowance of 2s. per Hundred Weight on all Sugars refin'd in and exported from *Great Britain*, be paid on the Exportation thereof, over and above all Drawbacks or Bounties now payable thereon.

This last Resolution was seconded by Sir John Barnard, who said, That he would agree to that as well as the other Resolution with all his Heart, for that these two were the only Resolutions they had come to, which, in his Opinion, would be of any real Use to our Sugar Colonies, and particularly the last Resolution he was glad to see moved, because he hoped it would make them think of some other Things relating to our Trade, which stood in need of some such Redress from Parliament. There were several Foreign Materials imported into this Kingdom, liable to Duties on Importation, which Duties were drawn back, if the Materials were again exported in the same Shape, but if manufactured and made more valuable by the Labour of our own People, neither the Merchant nor the Manufacturer could draw back the Duties, even though they should afterwards export the same, and could shew that this Manufacture was made of Materials that had paid a Duty on Importation, and would have had a Drawback on Exportation, if they had been carry'd out rough as they were brought in: This he said was a scandalous Oversight when these Duties were first imposed, but it was much more scandalous that in so long a Time this Oversight had never been amended. There were, he said, several Examples of this Oversight could be given, but he would then only mention the Duties on foreign Hemp, Flax, Cordage, &c. which were drawn back, if the Goods should be exported in the same Condition they were imported; but if these very Goods should, by the Labour and Industry of our own People, be manufactured into Cables, Ropes, and other Tackle for Shipping, and then exported, the Exporter could not have any Drawback: This, he said, was a great Loss to that Branch of our Trade, which was a very considerable Branch, but would be much more considerable if it were not for this Hardship it laboured under.

These Resolutions being all agreed to as above mention'd, a Bill was then order'd to be brought in pursuant

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‘ ble thereon.

This laſt Reſolution was ſeconded by Sir *John Barnard*, who ſaid, That he would agree to that as well as the other Reſolution with all his Heart, for that theſe two were the only Reſolutions they had come to, which, in his Opinion, would be of any real Uſe to our Sugar Colonies, and particularly the laſt Reſolution he was glad to ſee moved, becauſe he hoped it would make them think of ſome other Things relating to our Trade, which ſtood in need of ſome ſuch Redreſs from Parliament. There were ſeveral Foreign Materials imported into this Kingdom, liable to Duties on Importation, which Duties were drawn back, if the Materials were again exported in the ſame Shape, but if manufactured and made more valuable by the Labour of our own People, neither the Merchant nor the Manufacturer could draw back the Duties, even though they ſhould afterwards export the ſame, and could ſhew that this Manufacture was made of Materials that had paid a Duty on Importation, and would have had a Drawback on Exportation, if they had been carry’d out rough as they were brought in: This he ſaid was a ſcandalous Oversight when theſe Duties were firſt impoſed, but it was much more ſcandalous that in ſo long a Time this Oversight had never been amended. There were, he ſaid, ſeveral Examples of this Oversight could be given, but he would then only mention the Duties on foreign Hemp, Flax, Cordage, &c. which were drawn back, if the Goods ſhould be exported in the ſame Condition they were imported: but if theſe very Goods ſhould, by the Labour and Induſtry of our own People, be manufactured into Cables, Ropes, and other Tackle for Shipping, and then exported, the Exporter could not have any Drawback: This, he ſaid, was a great Loſs to that Branch of our Trade, which was a very conſiderable Branch, but would be much more conſiderable if it were not for this Hardſhip it laboured under.

Theſe Reſolutions being all agreed to as above mention’d, a Bill was then order’d to be brought in pur-

suant to them; and the same was accordingly brought in, and passed into a Law.

On the 21st of *February*, the Bill commonly known by the Name of the Pension Bill, pass'd the 3^d reading, and Mr. *Sandys* was order'd to carry it up to the House of Lords, and desire their Concurrence.

Next Day his Majesty came to the House, and gave the Royal Assent to

An Act for continuing the Duties on Malt, &c.

An Act to allow further Time to *John Thomson* to appear and make a Discovery, &c.

With another Private Act.

On the 23^d of *February*, the House, according to Order, resolv'd itself into a Committee of the whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty. And the Account of the Moneys then remaining in the *Exchequer*, of the Produce of the Sinking Fund, disposible by Parliament, having with others been referred to the said Committee, Mr. Chancellor of the *Exchequer* stood up and spoke in Substance as follows :

S I R,

IN the last Session of Parliament, this House came to a Resolution, which, in my Opinion, was a good and most reasonable Resolution; and that was to ease the Landed Interest of one Shilling in the Pound upon the Land Tax, by granting in lieu thereof, a Duty on Salt for three Years. By this the Landed Interest, which has for so many Years borne so great a Share of the publick Expence, has in this last Year found a most sensible Ease; and if any Method can be fallen on for continuing this Ease to them, such Method ought certainly to be follow'd. As I had in last Session of Parliament the Honour of moving for that Resolution, the Approbation I then met with, encourages me now to offer to your Consideration another Motion, which I hope will be equally agreeable, and that is, that it may be resolv'd, 'That it is the Opinion of this Committee, that
' towards raising the Supply granted to his Majesty,
' there be issued and apply'd the Sum of 500,000*l.* out
' of such Moneys as have arisen from the Surplusses,
' Excesses, or Overplus Moneys, commonly call'd the
' Sinking Fund, over and above what hath been apply'd
' to the Payment of one Million, towards discharging
' the National Debt, pursuant to an Act of the last
' Session

“Session of Parliament.” This Motion, I hope, will meet with the Approbation of this House; for it has always been my Opinion, and I believe it will be granted by every Man, that the publick Expence ought always to be raised according to that Method which is the least Burthenfome to the People: By this Method we shall provide for a great Part of the current Service of the Year, without laying any Burthen whatever on the People, and without doing Injustice to any Man, or to any Set of Men: The Case of the Creditors of the Publick is now very much alter’d from what it was; the Competition among them is not now which of them shall be first paid, but which of them shall be the last to be paid; and therefore Gentlemen need not now apprehend, that any of the publick Creditors will look upon the House’s agreeing to this Motion as an Injustice done them, or as any Hardship put upon them; on the contrary, they will look on it as a Favour, and would be glad that a much larger Part of that Fund were to be apply’d in the same Manner. And this Motion ought the rather to be agreed to, more-especially by those who have a Regard for the Landed Interest, because we can thereby continue to the Landed Gentlemen that Ease which we granted them last Year; whereas if this Motion shall appear not to be agreeable to the Committee, then I, or some other Gentleman of this House, must move for a Land-Tax of Two Shillings in the Pound, there not being, so far as I know, any other Way or Means left of providing for the current Service of the Year.

Upon this there ensu’d a long Debate, in which the following Gentlemen spokē in Substance, *viz.*

Mr. William Pulteney.

S I R,

THOUGH I was aware of the Motion now made by the Honourable Gentleman sitting near me, yet I was in Hopes that what he has now moved for, was not all that he was to open this Day to the Committee we are now in; and therefore I shall conclude with a Motion of a different Kind from what the Gentleman has been pleas’d to make to us. But, *Sir*, there is another Thing, a very terrible Affair impending! A monstrous Project! Yea, more monstrous than has ever yet been represented! It is such a Project, as has struck Terror

into the Minds of most Gentlemen within this House, and into the Minds of all Men without Doors, who have any Regard to the Happiness or to the Constitution of their Country. I mean, Sir, that Monster, the Excise! That Plan of Arbitrary Power, which is expected to be laid before this House in the present Session of Parliament. This, I say, is expected, and therefore I am for having the whole of that Gentleman's Designs laid before this Committee at once, and a sufficient Time given for us to consider the whole, before we come to a Resolution on any Part.

Of late Years, Gentlemen have been led, I do not know how, into a new Method of proceeding in Parliament, a Method very different from what our Ancestors did always observe. In former Times, the general or particular Grievances were first examined, consider'd, and redress'd in Parliament, before they enter'd upon the granting of any Supplies; but lately we have been led into a Method of granting all the Money necessary for the Publick Service among the first Things we do. The Malt Tax Bill, the Land Tax Bill, and such Bills are now in every Session the first Things that appear upon the Journals of this House; and when these Things are finished, the Gentlemen in the Administration generally look on the whole Business of the Session to be over. If this House should then enter upon any disagreeable Enquiries into Grievances, we might then perhaps be told, that the Season was too far spent, that it was necessary for Gentlemen to return home to mind their private Affairs; we might probably be obliged to defer to another Session, what the Welfare of this Nation required to be determined in the present. I hope Gentlemen will consider this, and that they will again begin to follow the wise Method observed by our Ancestors, and keep some Security in our own Hands, for our sitting 'till we have heard and redressed all the Grievances of our Fellow Subjects. There are several Things which we ought to examine into, before this Session shall be concluded. Does not every Gentleman know? Does not every Gentleman expect that there is an Application to be made to us from the *South-Sea Company*? That Company has now made Choice of a Set of honest Proprietors to be the Directors of their Affairs; they are enquiring into the State of that Company's Affairs, and they must enquire into the Management of their Affairs for some Time past: In both these they will stand

stand in need of a Parliamentary Relief, and in both it ought to be granted them.

The honourable Gentleman addresses himself in a very particular Manner to the Landed Interest; I hope every Gentleman in this House has a Regard for the Landed Interest; but I hope the Landed Gentlemen of this House are not to be bully'd into any Ministerial Jobs, by telling them, that if they do not agree to such a Motion, a Land Tax of Two Shillings in the Pound must be moved for. I hope, *Sir*, the Landed Gentlemen will never be induced to consent to any Thing that may undo the Nation, and overturn the Constitution for so small a Bribe, so trifling a Consideration, as that of being free from the Payment of One Shilling in the Pound Land Tax, and for one Year only. The Landed Gentlemen of this Nation have often ventur'd their All in their Country's Cause, and it is an Indignity offer'd to them, to imagine, that their paying or not paying such a Trifle as One Shilling in the Pound Land Tax will be of any Weight with them, when it comes in Competition with the Welfare and Happiness of their Country.

The Sinking Fund, that Sacred Deposit for extinguishing the Debts, and abolishing the Taxes which lie so heavy on the Trade and the People of this Nation, ought never to be touched; no Consideration whatever ought to prevail with us to convert that Fund to any Use but that for which it was originally design'd. It has of late been too often robb'd; I beg Pardon, *Sir*, Robbing is a harsh Word, I will not say robbed; but I must say, that upon several Occasions there have been considerable Sums nipped away from it: Upon the Demise of his late Majesty, a large Sum was taken from the Sinking Fund, and apply'd to the Civil List; by the taking off the Salt Duty, another large Yearly Sum was taken away from that Fund; the People are now again charged with that Duty, but no Restitution has been made to the Sinking Fund. Thus, *Sir*, there has been already a very large Sum taken from it at several Times, and now it is proposed to snip off it 500,000 *l.* at once. At this Rate, the People of this Nation must for ever groan under the Load of Taxes they are now subject to; and our Trade, as long as we have any left, must labour under the Difficulties and Discouragements it is now expos'd to. Is this consistent with the Welfare or Happiness of the Nation? Is this the Method by
which

which the landed Gentlemen are to be eased of One Shilling in the Pound Land Tax?

The honourable Gentleman has been called, and once had the Vanity to call himself the Father of the Sinking Fund; but if *Solomon's* Judgment was right, he who is thus for splitting and dividing the Child can never be deemed to be the true Father. He may claim, and I shall allow him the Honour of being the Father of two other Children lately brought forth in this Nation, a Standing Army and an Excise; but as for the Sinking Fund, he seems now to renounce all Pretences of being the Father thereof. I shall not now enter farther into the Merits of the Motion that the honourable Gentleman has been pleased to make, because I hope a proper Time will be allow'd for Gentlemen to consider of a Question of so great Consequence; and therefore I shall conclude with a Motion for the Chairman to leave the Chair.

Here Mr. Chancellor of the Exchequer rose up again and reply'd:

S I R,

AS for the Gentleman's saying, that I had once the Vanity of calling myself the Father of the Sinking Fund, I must say, that whether I was vain of being thought so or no, I remember a Time when the establishing that Fund was treated as a monstrous Project, and then I was obliged to father it; but no sooner was it found out to be a good and a right Thing, and a Project that was both feasible and agreeable to the Interest of this Nation, but other Gentlemen endeavoured to rob the real Father, whoever he was, of the Glory of being the Father of that Child. As for the other monstrous Project so much talk'd of, which some Gentlemen now endeavour to shew in so terrible a Light, I doubt not but that in a little Time it will appear in a quite different Shape to the impartial and unprejudiced Part of the Nation. Let it be what it will, I am resolv'd to propose it; and if I have but a very little Time, I shall lay it before you for your Consideration: I have no Doubt but that upon a thorough Examination, it will be found to be for the general Interest of the Nation, and for the Advantage of every fair Trader in particular; and this I am so much convinced of, that I believe I may live to have it told me, that I was not the Father of it, but that other

other People had thought of it before me. I never as yet inclined to do that which I thought was ill ; I am afraid of doing so ; but I never shall be afraid of doing well ; I never shall be afraid of doing Good, either to my Country, or to private Men, so far as is consistent with the Interest of my Country. As for the Sums which have been taken from the Sinking Fund, and added to the Civil List, they were not taken from it by me, they were taken from it by the Authority of this House ; I was only one of those who consented to it ; and particularly as to the Sum which was taken from the Sinking Fund upon the Demise of the late King, and given to the Civil List, the honourable Gentleman who sits near me, agreed to it as well as I did ; both of us did agree to it, but our Motives for agreeing were perhaps very different.

The Sinking Fund was established for the Payment of the Debts of the Nation, but still it was left subject to the Disposal of Parliament ; if upon any Occasion it shall appear that a Part of it may be more properly applied to some other Use, the Legislature has certainly a Power to apply it in that Manner which they shall judge to be most for the publick Good, and for the Interest of the Nation in general. This is the proper Question now under our Consideration ; we are now to determine, whether the Sum of 500,000*l.* shall be apply'd this Year towards the Ease of the Landed Interest, where it is very much wanted, where it is absolutely necessary to give some Relief ; or if the whole shall be this Year applied towards the Payment of the publick Creditors who stand in no need of such Payment, who do not so much as wish or desire it. This is the plain State of the Question ; and I could hardly have expected that this would have stood a Debate.

Sir *John Barnard* spoke next to the following Purpose.

S I R,

AS to the Project which the honourable Gentleman on the Floor seems to be afraid of being robb'd of the Glory of, I believe he may be very easy in that Respect ; for whatever he has met with in other Cases, he needs not be under any Apprehensions as to that ; for my Part, I am so far from believing that when it appears in Publick, it will procure either Honour or Glory to the first Projector, whoever he be, that I am firmly convinced

vinced it will turn out to his eternal Shame and Dishonour, and that the more the Project is examin'd, and the Consequences thereof consider'd, the more the Projector will be hated and despised.

But as to the Question now before us, it affords me a most melancholly Consideration; I own that the Landed Interest, as well as every other Interest, stands very much in need of Relief; I allow that by what the Gentleman now proposes, the Landed Interest may meet with some immediate Ease; and I will likewise easily grant, that it may, in our present Circumstances, be agreeable to the Creditors of the Publick; but while I have the Honour to be a Member of this House, I am not to consider the immediate Ease of the Landed Interest in particular, nor the present Pleasure of the Publick Creditors; I am to consider the Welfare of the Nation in general, both as to the present, and as to future Times; and as I am convinced that what is now proposed, will in the long Run be contrary to the Interest of the Nation in general, I therefore must give my Dissent.

In all Affairs which come before this House, we are to have a due Regard to Posterity, we are in Honour and Duty bound to consider the future Happiness of the Nation, as well as the present; and the Question now before us is, Whether we shall give a present Ease to the Landed Interest of One Shilling in the Pound Land-Tax, by unjustly loading our Posterity with the Payment of 500,000*l.* and the Interest thereof from this present Year? Or, Whether we shall continue to pay the One Shilling in the Pound Land-Tax, and thereby free the Nation of a Debt of 500,000*l.* and ourselves and our Posterity of a new Debt of 20,000*l.* which must be yearly incurred by this Nation, for the Payment of the Interest upon that Debt, 'till the principal Sum be satisfy'd and paid. This is the Question before us, and every Man who has a Regard to Posterity, or to the future Happiness of his native Country, must easily determine what Side he is to take: This is the Light it ought to be consider'd in; and whoever considers it in this Light, must conclude that what is proposed, is a robbing of our Posterity of 500,000*l.* and the growing Interest thereof for the Sake of a trifling present Ease to ourselves. If the Landed Interest, or any Interest, could be relieved by reducing the publick Expence, it would redound to the Glory of him who had the Honour of
bring

being the Author thereof; but to ease ourselves by loading our Posterity, is a poor temporary Expedient of short-sighted or self-interested Politicians, and the Author of such an Expedient must expect the Curses of Posterity, and can never expect present Thanks from any but such as are as short-sighted or as self-interested as himself.

I hope I shall not now be taxed with affecting Popularity, or with speaking Provincially, or as a Member for the City of London, as I have often been upon other Occasions; for as to the present Question, I consider it entirely in a national View. As a Member of this House, I shall always look upon myself as one of the Representatives of the People of Great Britain, and I hope every Gentleman who has the Honour of being a Member of this House, will always do the same. I hope it will never be in the Power of any Man to make the Landed Interest range themselves in Opposition to the Trading Interest of this Nation; but if ever such a wicked Design should take Effect, if the Members of this House should ever be brought to talk and to vote provincially, or as Members for Cities or Boroughs, or Members for Counties; if the former were to join together against the latter, it is easy to determine on which Side the Majority would be. The honourable Gentleman who made the Motion, now seems to aim at the Affectation of Popularity among the Landed Gentlemen of this Kingdom; this I am really surprized at, considering how often he has taxed me and other Gentlemen in this House with the Affectation of Popularity, as a most heinous Crime.

The Creditors of the Publick are, perhaps, at present unwilling to be paid off, because they have a greater Interest for their Money from the Publick, than they can have any where else; this is one Reason, but not the principal Reason for it; for the chief Reason is, the Method and Manner of paying them: If a considerable Part of their Debts were to be paid at once, and a reasonable Notice given to them of such Payments being to be made, they could then make such an Arrangement of their Affairs, as to dispose of their Money to as good an Advantage for themselves, and much more to the Advantage of the Trade of this Nation; but in the present Method of paying them, the Payments are so small, and the Warning so short, that many of them do not well know how to dispose of the small

Sums they receive, and therefore they are unwilling to receive any in that Manner: However, let their Inclinations be how they please, it is certainly the Interest of the Nation to have them all paid off, the sooner it is done, the happier it will be for the Nation, and therefore no Part of what is appropriated to their Payment, ought to be converted to any other Use: Their Unwillingness to receive Payment, is so far from being an Argument against paying them, that on the contrary it shews that they have a better Bargain from the Publick than they can in the same Way have from any other Person, and therefore if it were possible to borrow Money at a lower Interest, if it were possible to add to the Sinking Fund, the Publick ought certainly to do it, in order to pay off those who are now Creditors of the Publick at so high a yearly Interest.

I hope it will be thought that I am sincere in what I say, since I am in every respect talking against my own private Interest; I have a Part of my Estate in Land, otherwise I could not have a Seat in this House; and as a Landholder, I ought, if I consider'd my own private Interest, to be for the reducing of the Land Tax: I have another Part of my Estate in the Publick Funds; and consequently I ought to be as fond as other Men of not being paid off, and of having as high an Interest as I can possibly get from the Publick; and the remaining Part of my Estate I have in Trade, as to which also I speak against my own Interest; for as a Trader I ought to be against the paying off of the Publick Funds, because the Interest of Money will be thereby reduced; and though it may seem a Paradox, yet it is certain, that the higher the Interest of Money is in any Country, the greater Profit the private Trader will always make: In a Country where the Interest of Money is high, the Traders will be but few, the general Stock in Trade will be but small, but every Man who is a Trader must make a great Profit of what Money he has in Trade.

Here Mr. *Danvers* for the Borough of *Framber* in *Suffex*, stood up in Behalf of the Motion made by the Chancellor of the Exchequer, saying, he was so far from seeing the least Inconvenience in what the honourable Gentleman had proposed, that considering how little Occasion there was for paying off any of the publick Debts, he was surprized at his Modesty in asking

so little from the Sinking Fund; had he asked the whole, it would have been but reasonable to have given it him, since it is for the Support of a Government under which we enjoy so many Blessings. That the Landed Gentlemen bore the greatest Share of the late War, by which all those Funds were created, out of which the Plumb-Men of the City of London have made most of their Estates: That the Landed Interest having thus labour'd long under the greatest Distress, they ought to embrace every Opportunity to give it some Relief.

Sir William Wyndham address'd himself next to the Chair,

S I R,

THOUGH I have the Honour to sit in this House as a Knight of a Shire, yet I look on myself as one of the Representatives of the whole Body of the People of England, and therefore I shall never endeavour to find out a Distinction between the Interest of the Landed Gentlemen, and that of the Nation in general; such Endeavours I know to be vain, and whoever does endeavour it, will soon find himself disappointed in his Design. I know that since last Session of Parliament, it has been most industriously given about in the County which I have the Honour to represent, *O Gentlemen! The Knight of your Shire was against easing you of One Shilling in the Pound Land-Tax.* Whether this was done with a Design to do me Service or Diservice, I shall not determine; but if it was done with Design to do me a Diservice, I shall leave those who did it to brag of their Success. For my own Part, I am so conscious that my Behaviour in that Affair last Session of Parliament was right, that were I to plead Merit with my Constituents upon any one Vote I ever gave in this House, it would be upon my Way of voting in that very Affair; for I shall always be against sacrificing the publick Happiness of the Nation, or the Security of our Constitution, to any such mean and sordid View as that of a little present Ease in the Land Tax, and I hope every Landed Gentleman whom I have the Honour to represent is now and always will be of the same Opinion.

The Sinking Fund is a Fund I have always had the greatest Veneration for; I look on it as a Sacred Fund appropriated to the relieving the Nation from that Load of Debts and Taxes it now groans under; I take it to be so absolutely appropriated to that Use, that if upon

any pressing and unlooked-for Emergency, we should be necessarily obliged to borrow a little from it, the same with Interest ought to be repaid by some Tax to be raised within the Year. I have, indeed, been always afraid that some enterprizing Minister might be tempted to seize upon it, or some Part of it, in Time of War; but I little dreamt of seeing any Attempts made upon it in a Time of the most profound Tranquillity. It is to me a melancholy Consideration to think of the present vast Load of National Debt; a Debt of no less than 45 Millions Sterling and upwards, and that all contracted since the Revolution! This must be a melancholy Consideration to every Gentleman that has any Concern for his Country's Happiness; but if the Motion now made to us shall be agreed to, how dismal will this Consideration be render'd, when we reflect upon the little Appearance that there will then be of this Debt's ever being paid? Is the publick Expence never to be lessen'd? Are the People of *England* always to pay the same heavy and grievous Taxes? Surely, Sir, if there is ever a Time to be looked for of easing the People of this Nation, the present is the Time for doing it. But when I reflect upon what was done last Session of Parliament, I am really afraid of proposing any Relief for the poor Manufacturers and Labourers of this Nation; I do not think we can trust ourselves: The Salt Duty was taken off by this House, as a Tax the most grievous to the Labourer and to the Poor of this Nation, and the Sinking Fund was thereby diminished; for the Relief of the Poor we did consent to this Inroad upon that Sacred Fund; but that very Tax was again laid on, because some Gentlemen pretend to have found out, that the Landed Gentlemen of *England* were poorer than the Poor. At this Rate the whole of the Sinking Fund may by Degrees be exhausted, and the Poor of the Nation not relieved from any one Tax they now groan under.

Last Year the Salt Duty was laid on for three Years, in lieu of One Shilling in the Pound Land Tax for one Year, and this was pretended to be a Relief to the Landed Interest; but it was then evidently made appear, that it was no Relief even to any Landed Gentleman in *England*, unless he was a Man of a plentiful Land Estate. And it was then also made appear, that the People of the Nation were to pay above a Million for the 500,000^l. then saved in the Pockets of the Landed

Landed Gentlemen. And now this Year the Sum of 500,000*l.* is to be taken from the Sinking Fund in lieu of One Shilling in the Pound Land Tax; this is likewise pretended to be a Relief, but upon a strict Examination it will be found to be much such another Relief as that of last Year. We are to save this Year in the Pockets of the Landed Gentlemen 500,000*l.* but this Sum must hereafter be paid by the Nation some Time or other: If it be paid next Year, we then pay 520,000*l.* for it; if not 'till Two Years hence, we pay upwards of 540,000*l.* and if it is not paid 'till Fifteen or Sixteen Years hence, by computing Interest upon Interest, which in such Cases must always be done, the Nation must then pay above a Million for the 500,000*l.* Ease, now pretended to be given to the Landed Gentlemen. This is the least Sum that it will cost the Nation; but if to this we add what might be saved by the abolishing of some of those Taxes which now lie heavy upon Trade, and which cost the Nation more in levying than the neat Produce ever amounts to, then it will appear, that the Nation must be infinitely a greater Loser by this Ease now pretended to be given to the Landed Interest. Let any Landed Gentleman consider this, and at the same Time let him consider that the Lands of *Great Britain* stand ultimately obliged to pay all the Debts we owe, in Case our present Funds should fail, which they may probably do by the Decay of our Trade, if it continues long under the Difficulties it at present labours under; let any Landed Gentleman, I say, consider this, and then let him determine whether he and his Posterity owe Thanks to the Gentlemen who now pretend to be so great Friends to the Landed Interest.

What can those Gentlemen say, who are thus for loading Posterity? Can they imagine that there will ever be a Time of more profound Tranquility? Can they imagine that there will ever be a less Occasion for Publick Expence? Or can they imagine that our Posterity will be in much better Circumstances than we are? I am sure, if we propose the last, we must shew some more Regard to the Trade of the Nation than has been shewn for some Time past; we must think of relieving the poor Tradesmen and Manufacturers from the many and various Kinds of Taxes they now groan under; and we must avoid all Occasions of loading the Publick with the Payment of Interest, by providing within

within the Year for the current Service of the Year : To this the Motion now made is directly contrary ; for the not paying off of an old Debt is the same with contracting a new, and subjects the Nation to the same Expence with respect to the Payment of Interest. But I shall not trouble Gentlemen any farther upon this Subject at present, because I hope we shall have another Day to consider of this Question ; and therefore I shall conclude with the seconding of the Motion for the Chairman's leaving the Chair.

He was answer'd by Mr. Pelham.

S I R,

AS other Gentlemen have their melancholy Considerations, so I have mine ; the most melancholy Consideration I have is, that notwithstanding our having a Government, under which we enjoy our Laws, our Liberties, and our Religion, to the utmost Extent, yet it is absolutely necessary to put the Nation to a very great annual Charge, in order to support that Government against the Foreign Enemies both of our Constitution and Religion, supported and encouraged by our Factions and Divisions at home : This is the Reason that we cannot, by a Saving in the publick Charge, give that Ease to the Landed Interest, which is become absolutely necessary to be given ; and since we cannot, with any Safety to the Constitution, or to the present happy Establishment, give that Ease by a Saving in the publick annual Expence, we must therefore resolve to give it in that Manner which will be least burthensome to the People, and that I take to be the Method which is now proposed to us.

Gentlemen may talk as they please of what was done in last Session of Parliament, but I can say that in all Places where I have since been, I have had the Pleasure of having the universal Thanks of the People, for the Ease then given to the Landed Interest : Whatever Glofs may now be put upon that Affair, yet I know that some Gentlemen who appeared against it, were heard to say at the Time that that Affair was first mention'd, *This is a most damnable Project ! It will please the Country too much, and therefore we must endeavour to render it abortive.* I will, indeed, do the Gentlemen the Justice to believe that they then spoke as they thought ; and they then did what they could to prevent the Success of a Design by which his Majesty's Administration

has

has gained the Favour and the Esteem of the Generality of the Landholders in *England*.

I have as great a Regard for Posterity, and for the future Happiness of the Nation, as any Gentleman in this House; and therefore I shall never be against any Thing that is absolutely necessary for conveying to Posterity the many Blessings we now enjoy under the present happy Establishment. What is now proposed, is not a throwing of any new Load upon Posterity; it is only a disposing of that Money which always has, and still is at the Disposal of Parliament: We have a Right to dispose of it in that Manner which we think most conducive to the general Interest of the Nation, and what is now proposed, is only an exercising of that Right, and thereby granting an Ease to the most oppressed Part of his Majesty's Subjects, at a Time when there is no pressing Demand for applying the Money either to that Use for which it was at first intended, or to any other Use whatever. This is a Question that, in my Opinion, requires no Time to consider of; it is granted by every Gentleman who has spoke in this Debate, that the Creditors of the Publick do not desire to have their Money; and it is likewise granted that the Landed Interest stand in great Need of Relief; it cannot therefore be doubted, but that the Parliament may and ought to apply at least a Part of that which is not so much as wished for by the Publick Creditors, to the Relief of those who are now in so great Distress, especially since no Relief can be given to them by any other Means; for which Reason, I shall be for agreeing with the Motion made by the honourable Gentleman by me.

Mr. W——r observed here with regard to *Scotland* as follows:

S I R,

IT is known, I believe, by every Gentleman in the House, that *Scotland* pays little or no Part of what is raised for the Use of the Sinking Fund, and for the small Part they do, or ought to contribute towards that Fund, they have already receiv'd an Equivalent; so that by what is now proposed to us, that Part of the Nation is not to contribute a Shilling towards this 500,000*l.* which is to be apply'd for the current Service of the Year: Now, I should be glad to know by what Article of the Union they are to be free from paying

paying any Part of so large a Sum for the current Service of the Year. I find, by some Accounts call'd for, and now lying on our Table, that there has been but a very little paid by the People of that Part of the Island, towards the Support of the Government; and I believe that the little that has been paid, has generally been distributed away among themselves, in Pensions, Rewards, and Gratuities.

Mr. Taylor, for the Borough of *Fetersfield* in *Hampshire* was pleas'd here to take Notice, That there are some People in this Nation, whose Case is such, that the more they owe, the greater Advantage they make, and the richer they grow: These are Bankers. That by the Motion made to the House, one would imagine some Gentlemen took the Case of the Nation to be the same. For his Part, he could not think so, and therefore differ'd from the Motion.

Several other Gentlemen having spok'e in this Debate, the Question was put, Whether the Speaker should then leave the Chair? (that being a Sort of previous Question in Committees, and always to be put, if moved for, before any other) it pass'd in the Negative, 245 against 135; after which, the Question was put upon the first Motion, and carry'd without any Division.

It was then moved and resolv'd without Opposition, That it is the Opinion of this Committee, that towards raising the Supply granted to his Majesty, the Sum of One Shilling in the Pound, and no more, be rais'd in the Year 1733, upon Lands, Tenements, Hereditaments, Pensions, Offices, and Personal Estates, in that Part of *Great Britain* call'd *England, Wales*, and the Town of *Berwick upon Tweed*; and that a proportionable Cess (according to the 9th Article of the Treaty of Union) be laid upon that Part of *Great Britain* call'd *Scotland*.

These Resolutions of the Committee of Ways and Means were reported to the House on Monday the 26th of *February*; and the Question being moved, for agreeing with the Committee as to the first Resolution, there ensu'd a new Debate, of the Substance of which the following is an Abstract, viz.

Samuel Sandys, Esq;

S I R,

Notwithstanding the long Debate that was in the Committee upon this Resolution, yet I cannot now let it pass without taking Notice of the bad Consequences it may be attended with. The perpetual Method heretofore, of providing for the current Service of the Year, has been to grant annual Supplies to be raised by Taxes which were granted for that Purpose, and consequently were granted only for one Year; at the Expiration of that Year, they were at an End, and none of the Officers of the Crown durst pretend to levy them any longer on the People: It would have been High Treason in any Officer to levy any such Tax after the Expiration of the Year for which it was granted by Parliament. By this Method our Kings have always been under a Necessity of calling Parliaments frequently; if the King wanted a Supply, there was no Tax subsisting by Law, out of which he could get it, and therefore he was obliged to call a Parliament to grant him a new Supply, and to impose a new annual Tax for that Purpose. Of this Nature is the Land-Tax; it has always been one of those Taxes which were granted for the current Service of the Year, and for that Reason has never been granted for more than one Year at a Time. But what are we now about to do? We are going to depart from this laudable Method always observed by our Ancestors; we are going to give up that Tax which we have always in our own Hands, and which we may grant or no, as we see Occasion; and in the Room thereof we are going to substitute a Tax, or at least a Method of providing for the current Service of the Year which we have not in our Power; the Taxes by which the Sinking Fund is raised, being all granted for ever, and may be levy'd on the People without any new Authority from Parliament. By this Method we clearly point out a Method by which some future ambitious Prince may provide for the current Service of the Year, without the Assistance of Parliament; from whence he may judge, that Parliaments are unnecessary, and will certainly lay them aside as soon as he finds them troublesome. By those Taxes granted for the Sinking Fund, which his Officers may levy according to the Laws in Being, he finds himself provided of a Revenue sufficient to support his Government, without

the Assistance of Parliaments, and therefore he will resolve to govern without them, if they but once begin to thwart any of his Measures.

I know it will be told me, that it would be as illegal and criminal to apply the Revenue of the Sinking Fund to the current Service of the Year without the Authority of Parliament, as it would be to levy Taxes without any such Authority: But there is a very great Difference between the two Cases; in levying a Tax contrary to Law, every Officer employ'd, knows that he acts with a Rope about his Neck, and therefore it would be difficult for the most powerful Prince to get Officers that would be employ'd in the levying such Taxes; whereas in levying those Taxes appropriated to the Sinking Fund, every Under-Officer acts according to Law, there is no Man guilty of any Crime as to the levying of them; there are none guilty but a few of the chief Officers, who agree to or connive at the Misapplication.

Another material Difference there is between those two Cases. The levying of any Tax contrary to Law, gives immediately the Alarm to the whole Nation both poor and rich; every Man thinks he is robb'd of his Property, if he is obliged to pay the most trifling Tax without the Authority of Parliament; and as the whole People in the Nation would on such an Occasion take the Alarm, so it would be easy to stop such a Prince in the Beginning of his tyrannical Career before he could have Time to fix himself in Arbitrary Power. But though an ambitious Prince and his Ministers should misapply the Produce of the Sinking Fund, by converting it to the current Service of the Year, the Body of the People would be no ways alarmed, they would not think themselves any way hurt, because they would find that they were not obliged to pay any Taxes but those which they knew to be due by Law; on the contrary, they would probably be well pleased with the new Sort of Government, because they would find themselves, for some Time at least, free from the Payment of those Taxes which had formerly been annually raised by Parliament; and thus, before the Body of the People could be made sensible of the Tyranny they were under, the Arbitrary Power of the Prince would be established, and the Fetters of Slavery riveted upon the People. I cannot but dread the Consequences of the Resolution now before us, and therefore I could not
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