

a private, separate, dishonourable, and destructive Negotiation of Peace between *Great Britain* and *France*, without any Communication thereof to her Majesty's Allies, according to their several Treaties; and was not only wanting in his Duty and Trust to her Majesty, but opposing, and as far as was in his Power, by not advising her Majesty against going into any private separate Negotiation with *France*; but in the Execution of his Purposes aforesaid, he the said *Robert Earl of Oxford* and *Earl Mortimer*, did advise her late Majesty to send *Matthew Prior*, Esq: directly to the Court of *France*, to make Propositions of Peace, without communicating the same to her Majesty's Allies. And accordingly the said *Matthew Prior*, by the Advice, and with the Privy of him the said *Earl of Oxford* and *Earl Mortimer*, and other false and ill Counsellors, in or about the Months of *July* or *August*, in the Year of our Lord 1711, was sent in a clandestine Manner from *England* to *France*, and did communicate the said Propositions of Peace to the Ministers of *France*; in which the particular Interests of *Great Britain*, as well as the common Interests of *Europe*, were shamefully betray'd: And in Manifestation of his said Design to exclude her Majesty's Allies from their just Share in the said Negotiation, an express Article was inserted in the said Propositions, by the Privy and Advice of him the said *Robert Earl of Oxford* and *Earl Mortimer*, that the Secret should be inviolably kept, till allow'd to be divulg'd by the mutual Consent of both Parties; altho' the *French King* had, in the Propositions sign'd by *Monf. de Torcy*, and transmitted in the Month of *April* preceding, offer'd to treat with the Plenipotentiaries of *England* and *Holland*, alone, or jointly with those of the Allies, at the Choice of *England*. By which treacherous and dangerous Advice, he the said *Robert Earl of Oxford* and *Earl Mortimer*, did not only contrive and set on Foot a Negotiation of Peace, more advantageous to *France*, than even *France* itself had ask'd; but thereby did put it into the Power of the common Enemy, to create incurable Jealousies and Discords between her Majesty and her faithful Allies, and to destroy that Confidence which had so long, and so successfully been cultivated between them, and which was so necessary for their common Safety.

Art. II. That the *French King* laying hold of the said treacherous Overture, set on Foot in Manner aforesaid, did, in or about the Months of *August* and *September*, in the Year

Year of our Lord 1711, send over M. Mesnager into England to carry on a clandestine and separate Negotiation of Peace; which being made known to him the said Robert Earl of Oxford and Earl Mortimer, he did afterwards, in the said Month of September, 1711, secretly and unlawfully, without any Colour of Authority, meet, confer, and treat with the said Sieur Mesnager, on the Negotiations of a Peace between Great Britain and France; and therein he did advise and promote the making private and separate Treaty or Agreement between the said Crowns; which said Treaty or Agreement was afterwards, with the Privy, Consent, and Advice of him the said Robert Earl of Oxford and Earl Mortimer, agreed, concluded, and sign'd by the said Sieur Mesnager, on the Part of France, and by the Earl of Dartmouth and Henry St. John, Esq; two of her Majesty's Principal Secretaries of State, in Behalf of her late Majesty, by Virtue only of her Majesty's Sign Manual under the Signet, and without the least Knowledge and Participation of the Allies. In which Treaty the immediate Interests even of Great Britain are given up to France, and the Duke of Anjou is admitted to be King of Spain, an express Stipulation being therein made with the Sieur Mesnager, in the Name, and (as is therein alledg'd) pursuant to Powers from King Philip, as King of Spain. Whereby he the said Robert Earl of Oxford and Earl Mortimer, did not only assume to himself Regal Power, in taking upon him to meet and treat with the Enemy, without any Authority or Power from her Majesty; but did what in him lay to subvert the ancient and establish'd Constitution of the Government of these Kingdoms, by introducing illegal and dangerous Methods of transacting the most important Affairs of the State; and by which private and separate Treaty, he the said Robert Earl of Oxford and Earl Mortimer, did what in him lay to dissolve and cancel the many solemn Treaties her Majesty then stood engag'd in, to her good and ancient Allies; and whereby her Majesty, even before any Thing was finally settled for the Safety and Advantage of her Kingdoms, was brought to this fatal Dilemma; either to submit to the Dictates of France in the Progress of the said Negotiation, or so notorious a Breach of national Faith being divulg'd by the Enemy, from thence to lose all future Confidence of her good Allies.

Art. III. That the said *Robert Earl of Oxford* and *Earl Mortimer*, the berrer to disguise and carry on the aforesaid private, separate, and dangerous Negotiation, did, together with other evil-dispos'd Persons, then in high Trust under her Majesty, contrive and advise the preparing and forming a Set of General Preliminories, entitled, *Preliminary Articles on the Part of France, to come to a General Peace*; and that the same should be sign'd by the *Sieur Mesnager* only. And the same being so prepar'd and sign'd by the said *Sieur Mesnager*, he the said *Robert Earl of Oxford* and *Earl Mortimer* did, contrary to his Duty and Trust, impiously advise her sacred Majesty, that the same should be, and accordingly they were receiv'd by her Majesty, and communicated to the Ministers of the Alliance then residing in *England*, as the Ground of a general Negotiation of Peace, and as if the same were the only Transactions that had been on this Subject between *Great Britain* and *France*. And to this End, the private Treaty, sign'd as aforesaid by the *Earl of Dartmouth* and *M^r. St. John* on the Part of *England*, and by the said *Sieur Mesnager* on the Part of *France*, was, by the evil Advice and Contrivance of him the said *Robert Earl of Oxford* and *Earl Mortimer*, and others, wilfully and industriously conceal'd, not only from all the Allies, but even from her Majesty's Council and her Parliament. And he did further advise her Majesty, not only to accept the said General Preliminaries, but in her Name, and by her Authority, to communicate the same to the States General, as a sufficient Foundation whereon to open the Conferences of Peace with *France*. And the more effectually to cover from the States General the pernicious Steps which his evil Influence had engag'd her Majesty in with the common Enemy, certain Instructions were prepar'd, and by his Counsel and Advice were sign'd by her Majesty, and deliver'd to the *Earl of Strafford*, her Ambassador to the States General; wherein the said *Earl of Strafford* is directed to represent to the Pensionary of *Holland*, and to such others as shall be appointed to confer with him: That when her Majesty had receiv'd in *May* last, by his Excellency's Dispatches, an Account of the Sense which those among them, who were at that Time in the Secret, had of the Overtures made by *France* for setting a General Negotiation of Peace again on Foot, and of the Answer which it was desir'd might be return'd to the Propositions sign'd by *Mons. de Torcy*; her Majesty did immediately acquaint the Enemy, that their Offers were thought

by her and by the States-General neither particular nor full enough: And therefore that her Majesty did insist, that they should form a distinct Project of such a Peace as they were willing to conclude. Whereas no such Instances had been made to the Enemy on her Majesty's Behalf; but on the contrary, notwithstanding her Majesty had declar'd that the Propositions of Monsieur de Torcy were thought by her and the States-General neither particular nor full enough; yet without any further Explication from the Enemy, her Majesty was prevail'd on, in Manner aforesaid, to send over Propositions to France as general and insinuating, and in all Respects as disadvantageous to the Interests of Great Britain and her Allies, as the Propositions of Monsieur de Torcy. And the said General Preliminaries, communicated to the States in Manner aforesaid, were calculated only to amuse and deceive them into a General Negotiation with France. And in the Particulars aforesaid, as well as in the several others, the said Instructions contain'd Matters either false or grossly prevaricating and evasive. By which most wicked Counsels of him the said Robert Earl of Oxford and Earl Mortimer, that unquestionable Truth and Sacredness which by the Laws of Nations ought to accompany and constitute the Instructions of publick Ambassadors to Princes in Friendship and Confederacy against the Common Enemy, was most vilely prostituted to the most dangerous Purposes, to deceive and mislead her Majesty's good Allies in Matters of the greatest Importance to their own Interests, and the Interests of these Kingdoms; the Honour of her Majesty's sacred Person, and of the Imperial Crown of these Realms, which had been rais'd to the highest Pitch of Glory abroad, and had been justly held in Veneration with her good Allies, was scandalously debas'd and betray'd; and the Royal Hand, by the wicked Arts of him the said Robert Earl of Oxford and Earl Mortimer, was made the Instrument to advance the Interest of the common Enemy.

Art. IV. That whereas the Earl of Strafford, pursuant to his said Instructions, had communicated the Preliminaries sign'd by Monsieur Mesnager only to the States-General, who being justly alarm'd at the pressing Instances made on the Part of her Majesty, that Conferences should be open'd on Propositions as general and uncertain as those so lately offer'd by France, and sign'd by M. de Torcy; and their High Mightinesses having been unsuccessful in their Remonstrances to the Earl of Strafford and opening the

Conferences upon the said Propositions, did send over Monsieur *Buys* their Ambassador, to represent to her Majesty, as well the Hazard of meeting the Ministers of France before the essential Articles were first settled by special Preliminaries, or at least explain'd by France, and made Specifick; as likewise the Advantages to the Enemy, who being but one Body, were influenc'd by one Council, and directed by one Power; whereas the Confederates consisted of several Powers, whose Interests are not only distinct, but in many Cases contrary to each other, whereby the French would have a fair Opportunity to divide the Allies, when it would be impossible for them to break in upon France; and further to represent that the Propositions themselves were in some Instances very prejudicial, particularly in the Articles of Commerce, *Dunkirk*, and the Union of the Crowns of France and Spain. All which Representations of the said Monsieur *Buys*, by the evil Influence of him the said Robert Earl of Oxford and Earl Mortimer, and others, were render'd ineffectual; but in order to prevail upon the States-General to open the Conferences, upon the said General Preliminaries, by the Management and Contrivance of him the said Robert Earl of Oxford and Earl Mortimer, and others, an Occasion was taken to declare to Monsieur *Buys*, at a Committee of Council in her Majesty's Name, her constant Affection and good Disposition to their State, and to the promoting their Interest, and to treat with their High Mightinesses with a perfect Confidence and Harmony: And at the same Time he the said Robert Earl of Oxford and Earl Mortimer, did then falsely and maliciously declare, or was privy to advising and consenting, that it should be, and so it was declar'd, in her Majesty's Name, that she had made no Separate Treaty with France, nor ever would make any, before she had fully comply'd with all Engagements to her Allies, and that each of them should have Opportunity to make good their Pretensions.

By which false, scandalous, and dishonourable Assurances, he the said Robert Earl of Oxford and Earl Mortimer did not only highly Dishonour her Majesty, by whose Privity the said Separate Treaty with France had been before that Time concluded and sign'd; but their High Mightinesses, the good Friends and Ancient Allies of her Majesty, were grossly abus'd and thereby induc'd to enter into a Negotiation with France, so dangerous in itself, and so fatal in its Consequences.

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Art. V. That her sacred Majesty Queen Anne having in
One Form of Law, and under her Great Seal, constituted
the Right Reverend John Lord Bishop of Bristol, and the Earl
of Sarafford, her Plenipotentiaries, with full Powers to
meet, hear, and conclude with the Plenipotentiaries of
the Confederates, and those whom the French King shall
on his Part depute for that Purpose, the Conditions of a
good and general Peace, that shall be safe, honourable,
and, as far as is possible, agreeable to the reasonable De-
mands of all Parties; he the said Robert Earl of Oxford
and Earl Mortimer, not contenting himself to abuse the
Royal Authority, to the Delusion of the States-Generall,
the nearest Allies of the Queen, but intending the Uni-
versal Prejudice of his Imperial Majesty, and all the Al-
lies of these Kingdoms, and thereby the more successfully
to carry on the Measures of France, wherein he was then
employ'd, contriv'd and prepar'd Instructions, or was pri-
vately consenting, and advising the same, for her Ma-
jesty's said Plenipotentiaries, which she was prevail'd
upon by the said Robert Earl of Oxford and Earl Mortimer's
evil Counsel to sign, and the same were deliver'd to the
said Plenipotentiaries; wherein among other Things they
are instructed to the Effect following, viz. ' If it shall be
' thought proper to begin by the Disposition of the Spanish
' Monarchy, you are to insist that the Security and rea-
' sonable Satisfaction which the Allies expect, and which
' his most Christian Majesty has promis'd, cannot be ob-
' tain'd, if Spain and the West-Indies be allotted to any
' Branch of the House of Bourbon: Whereas the said Robert
Earl of Oxford and Earl Mortimer had at that Time pri-
vately and treacherously negotiated and agreed with the
Ministers of France, that Spain and the West-Indies should
remain in a Branch of the House of Bourbon, and had
prevail'd on her sacred Majesty to be Party to the said
private Treaty, wherein the same is necessarily imply'd.
And the said Plenipotentiaries are further instructed, in
Case the Enemy should object, as the Imperial Ministers
had done, that the Second Article of the Seven sign'd by
the Sieur Mesnager implies, that the Duke of Anjou shall
continue on the Throne of Spain; you are to insist, that
those Articles, as far as they extend, are indeed binding
to France, but that they lay neither us nor our Allies un-
der any positive Obligation: Whereby the said Robert
Earl of Oxford and Earl Mortimer basely enter'd into a
Confederacy and Collusion even with the Ministers of the
Enemy, and prevail'd on her Majesty to give her Royal Con-

sent thereto, the more effectually to impose on his Imperial Majesty and all the Allies, and to conceal the said secret Negotiations, and the Separate Treaty that had been agreed on between *Great Britain* and *France*. And the said *Robert Earl of Oxford* and *Earl Mortimer*, not only in the Particulars before mention'd, but in many others contain'd in the said Instructions, has brought a lasting Reproach on the Crown of these Realms, and grossly violated the many Treaties wherein her sacred Majesty was then engag'd to her Allies, to act in perfect Concert with them throughout the Negotiations of Peace.

Art. VI. That the Conferences of Peace being open'd between the Plenipotentiaries of the Allies, and those of the Enemy, for the negotiating a General Peace upon the mutual and most solemn Engagements amongst the Allies, not only to act in perfect Confidence with each other, but to promote their Common Interest, and to obtain from the Enemy all just and reasonable Satisfaction: and a Specifick Explanation of the General Preliminaries having been given in by the Enemy at *Utrecht*, whereon the Allies delivered their respective Demands; by the Artifices of *France*, and the secret Encouragement and Concurrence of the Ministers of *Great Britain*, the Progress of the said Publick Negotiation was delayed and kept in Suspence, under Pretence of the Enemy's refusing to give their Answer in Writing; During which Time, he the said *Robert Earl of Oxford* and *Earl Mortimer*, again assuming to himself Regal Power, in Derogation of the Royal Authority, to treat of Peace with *France*, which was then delegated under the Great Seal of *Great Britain* to her Majesty's Plenipotentiaries at *Utrecht*, and for the promoting the Design of the Enemy, to the apparent Destruction of the Common Cause of her Majesty and her Allies, contrary to the known Laws and Constitution of this Kingdom, in direct Violation of the several Alliances her Majesty then stood engaged in, and in Opposition to the many Assurances given by her Majesty to act in Concert with her Allies, and in Defiance of the express Instructions given to her said Plenipotentiaries; was not only wanting in his Duty to her Majesty, as far as in him lay, to have put an End to, and prevented any further private and unlawful Negotiations with *France*, but did, with others his Accomplices, advise, concur, continue, and promote a private, separate, and unjustifiable Negotiation with *France*, directly from *England* to *France*, without any Communication thereof to the Allies;

Allies; and in such private Negotiations did concert with the Ministers of the Enemy, Terms of Peace highly prejudicial to the Interest of her Majesty and her Kingdoms, and of all her Allies, and whereby the good Effects of the said General Negotiations were entirely defeated.

Art. VII. That her sacred Majesty Queen Anne having been prevailed on by the false Counsels of him the said Robert Earl of Oxford and Earl Mortimer to accept of a Treaty with France, on the Supposition that the Spanish Monarchy should continue in the Possession of a Branch of the House of Bourbon; and it being acknowledged even by the French King in the General Preliminaries signed by Monsieur Mesnager, that the Excess of Power, from the Re-union of the Crowns of France and Spain would be contrary to the Good and general Repose of Europe: He the said Robert Earl of Oxford and Earl Mortimer having nothing so much in View, as the aggrandizing the Common Enemy, yet always intending to cover the Iniquity of his Heart under specious Pretences and false Appearances, did wickedly and treacherously advise and carry on a private and separate Negotiation with France, on the Subject of a Renunciation of his Right to the Kingdom of France by the Duke of Anjou, and that such Renunciation should be the Security against the Re-union of the two Kingdoms. And by the Influence of his evil Counsels, her Majesty was prevailed on to accept and finally to conclude and ratify a Treaty of Peace with France, wherein the said Renunciation is taken, as a sufficient Expedient to prevent the Mischiefs that threatened all Europe, in case the Crowns of France and Spain should be united upon the Head of one and the same Person; altho' he the said Robert Earl of Oxford and Earl Mortimer, well knew, that a Memorial had been, during the said separate Negotiation, transmitted by M. de Torcy, Secretary of State and Minister to the French King, to one of her Majesty's Principal Secretaries of State, whereby it was declared, that the said Renunciation would be null and invalid by the Fundamental Laws of France; which Laws were looked upon as the Work of Him who had established all Monarchies, and which He only could abolish; and that no Renunciation therefore could destroy it: And if the King of Spain should renounce, they would deceive themselves that should receive it as a sufficient Expedient to prevent the Mischiefs proposed to be avoided. By which false and treacherous Counsels, he the said Robert Earl of Oxford and Earl Mortimer, did not only betray

the Interests of the Common Cause into the Hands of the most formidable Enemy, but wilfully and maliciously abused the Power and Influence which he had obtained with her Majesty, so far as to engage her sacred Majesty, and the Honour of the Imperial Crowns of these Kingdoms, to become Party with *France* in so fatal a Deceit.

Art. VIII. That her late Majesty *Queen Anne* having in the 7th Day of *December*, in the Year of our Lord 1711, earnestly recommended it from the Throne, That Provision might be made for an early Campaign, in order to carry on the War with Vigour, and as the best Way to render the Treaty of Peace effectual, in order to which, vast Supplies were granted, and Magazines provided at a great Expence for an early Campaign; and in Pursuance thereof, her Majesty having sent her Generals *Rowley* and *Cadogan*, to give early Assurances to her Allies of her sincere Intentions, and likewise expressly instructed her General, the Duke of *Ormond*, not only to renew the same Assurances, and declare her Resolutions of pushing on the War with the utmost Vigour, but in concert with the Generals of the Allies the proper Measures for entering on Action; and the Confederate Army, which at that Time was the finest and strongest that had been in the Service during the whole Course of the War, and provided with all Necessaries to act with Vigour, having march'd, according to the Resolution taken in Concert with her Majesty's General, almost up to the Enemy, with a great Superiority both as to the Number and Goodness of Troops, and animated with a noble Courage and Zeal to acquit themselves bravely; so that in all human Appearance, and with the divine Assistance, which had appeared so visibly for them, on many other Occasions, they would have been able, either by Battle or Siege, to have gained great Advantages over the Enemy, to have bettered the Affairs of Allies, and to have facilitated the Negotiations of Peace: And the Ministers of *France* having frequently and earnestly represented to the said *Robert Earl of Oxford* and *Earl Mortimer*, and other his Accomplices, during their secret Negotiations, their just Apprehensions from the Bravery and good Disposition of the Confederate Army; he the said *Robert Earl of Oxford* and *Earl Mortimer*, being truly informed of the sure Prospect which, by the Blessing of God, the Army of the Confederates then had, of gaining new Conquests over the Army of *France*, and whereby they would have been enabled

bled to have forced Terms of Peace, safe, honourable, and lasting; in order to disappoint those comfortable Expectations of the Allies, and to give Success to his secret Negotiations with the Ministers of *France*, was privy to, consenting, and advising, together with other false and evil Counsellors, and together with them did advise and consent, that an Order should be sent, in her Majesty's Name, to the Duke of *Ormond* in *Flanders*, to avoid engaging in any Siege, or hazarding a Battle, till further Orders; altho' nothing had then been settled in the said private Negotiations for the Interest and Security of *Great Britain*; and altho' Philip King of *Spain* at that Time had not consented to the Renunciation of his Right to the Crown of *France*. And not contenting himself with having obtained that fatal Step, so highly advantageous to the Cause of *France*, but being wickedly determined to do all that in him lay to dissolve the whole Confederacy, he the said Robert Earl of *Oxford* and Earl *Mortimer*, with others, was privy to, and did consent and advise, that Order should be sent to the Bishop of *Bristol*, one of her Majesty's Plenipotentiaries then at *Utrecht*, to take the first solemn Opportunity to declare to the *Dutch* Ministers, that her Majesty look'd on her self from their Conduct to be then under no Obligation whatsoever to them: Which two Declarations giving just Alarm, to all the Allies, they represented to the Bishop of *Bristol* their general Dissatisfaction, and the unexpressible Consternation they were all in; that these proceedings were the unavoidable Ruin of *Europe*: They urged Religion, Liberty, and the Faith of Treaties, to shew the Enormity of this Usage; and the States expressed their Uneasiness on no Account so much, as that they could not come to the Knowledge of their own Loss. Which Representation the Bishop of *Bristol* did, at the Instance of the Allies, signify to one of her Majesty's principal Secretaries of State; but their High Mightinesses finding that all Applications to the Ministers of *Great Britain*, and in particular to the said Robert Earl of *Oxford* and Earl *Mortimer*, were of no Avail against *France*, and for the Interest of the common Cause, thought it necessary, in a Manner the most moving and respectful, to address directly to her Majesty by a Letter of the 5th of June, 1712; therein expressing their great Surprize and Affliction at the two Declarations afore-mentioned; and finding it difficult to conceive how such Declarations, so prejudicial to the common Cause, given so suddenly without their Knowledge, and undoubtedly too without the Knowledge

Knowledge of the other Allies, could agree and consist with the Nature of an Alliance, and with those Assurances and Engagements her Majesty had so lately made, and not knowing how to reconcile it with the great Goodness and Kindness which her Majesty had always honoured them with, and not being able to conceive how such a sudden Change could happen with respect to them, having carefully examined their own Conduct, and finding nothing therein that could have given Ground to her Majesty's Dissatisfaction: And having represented the visible and immediate fatal Consequences of the said two Orders, not only to the common Interest of her Majesty and the States, but to the whole Confederacy, and to the Protestant Religion; they beseeched her Majesty, with all the Respect, and all the Earnestness they were capable of, that she would not persist in the Declarations made by the Bishop of Bristol, and would be pleased to revoke the Orders given to the Duke of Ormond, and would authorize him to act according to Occurrences, and as the Exigency of the War, and the Advancement of the common Cause should require. Notwithstanding which, he the said Robert Earl of Oxford and Earl Mortimer, being acquainted with the said Representations of the States, was not only wanting in his Duty to her Majesty, and to his Oath, and the great Trust reposed in him, in not advising, as he ought to have done, her sacred Majesty to have hearkened to the said several Instances made to her; but persisting in his desperate and destructive Measures, for the Advancement of the Interest of the common Enemy, did afterwards advise her Majesty to disregard and reject the same, and did countenance, encourage, advise, and promote the said private, separate, and wicked Negotiations with France, without any Participation of the Allies, contrary to all her Majesty's Engagements, and to the apparent Ruin of the common Cause. By which several wicked and perfidious Counsels, the Progress of the victorious Arms of the Confederates was stopped, and an Opportunity lost of conquering the Enemy, the most favourable, in the Opinion of all the General Officers and the Quarter-Masters of the Allies, who were sent out to view the French Camp; and whereby all Hopes of Confidence between her Majesty and her Allies was entirely destroyed, and the French King made absolute Master of the Negotiations of Peace, and the Affairs of Europe given into his Hands.

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Art. IX. That to impose upon the Allies the fatal Necessity of submitting to the Terms of *France*, and, in order thereto, to leave the whole Confederate Army at the Mercy of the common Enemy, he the said *Robert Earl of Oxford* and *Earl Mortimer*, was privy and consenting to a secret and separate Concert with the Ministers of *France*, without the Knowledge of the Allies, for the separating the Troops in her Majesty's Pay from the rest of the Confederate Army: For the effecting whereof, instead of preventing, as far as in him lay, so fatal a Step, he was not only wanting to advise against so unwarrantable a Proceeding, but did consent to and advise her Majesty, that the Duke of *Ormond*, and all the Troops then in her Majesty's Pay, or such of them as would obey his Orders, should separate themselves from the Army of the Confederates: And having Notice that the Generals of the Auxiliaries, paid by her Majesty, whose Honour and Consciences would not permit them to abandon the Confederates, and leave them as a Sacrifice to *France*; but for the sake of the common Interest of *Europe*, and according to the true End and Design of their Conventions, did refuse to withdraw with the Duke of *Ormond*, without particular Orders from their respective Masters, he the said *Robert Earl of Oxford* and *Earl Mortimer*, being then Lord High Treasurer of *Great Britain*, and one of her Majesty's Most Honourable Privy Council, in Violation of his Oath, and the Duty and Trust repos'd in him, did take upon himself an arbitrary and illegal Power, to refuse and put a Stop to the Pay and Subsidies due on Account of the said foreign Troops, altho' they were entitled thereto by the Conventions enter'd into with her sacred Majesty, and by express Provision made by Act of Parliament for the Payment of the same. By which fatal Separation, which, pursuant to his evil Counsels, was afterwards made, great Numbers of the Confederate Troops, who had before, on many Occasions, signaliz'd themselves in the Defence of the Cause of *Europe*, soon afterwards, at the unfortunate Action of *Denain*, fell as Sacrifices to the Fury and Revenge of *France*; the Siege of *Landrecy* was rais'd; the important Towns and Fortresses of *Quesnoy*, *Bouchain*, and *Douay*, were retaken by the French Army; and not only the Fortune of the War, but the Fate of *Europe*, decided in Favour of *France*.

Art. X.

Art. X. That in further Execution of his pernicious Designs, to compleat the Destruction of the common Cause of *Europe*, and to render it impracticable for her Majesty to resume the War against *France*, in Conjunction with her Allies, or to recover the Union with her Majesty's old and faithful Allies, so necessary to the Preservation of these Kingdoms, he the said *Robert Earl of Oxford* and *Earl Mortimer*, then Lord High Treasurer of *Great Britain*, did carry on and concert with the Ministers of *France*, a private and separate Negotiation for a general Suspension by Sea and Land, between *Great Britain* and *France*; and to that End, among other, did advise her Majesty to send over *Henry Viscount Bolingbroke*, one of her principal Secretaries of State, to the Court of *France*, with Powers to settle the said Suspension. In pursuance of which, a destructive Treaty of Suspension was made in *France* on the 19th of *August*, N. S. 1712, by the said *Henry Viscount Bolingbroke*, on the Part of her said Majesty, for four Months, without the Knowledge or any Participation of the Allies, and before any Terms of Peace were settled with the Enemy, either for *Great Britain* or the Allies. By which evil Councils, the express Terms of several of the afore-mention'd Treaties were expressly contravened and broken, the good Friends and ancient Allies of her Majesty and these Kingdoms, were totally depriv'd of the just Assistance to which they were thereby entitled, and were left expos'd to the Insults of the common Enemy; and the sacred Ties of Union and Friendship between her Majesty and her Allies being cut asunder, her Majesty's Person and Government, the Safety of her Kingdoms, and the Protestant Succession to the Crown of these Realms, were left expos'd to the Enterprizes of her most formidable Enemy.

Art. XI. That whereas the States General of the *United Provinces* were, in or about the Months of *September* or *October*, in the Year of our Lord 1712, in Possession of the strong and important Town and Fortrefs of *Tournay*: And whereas the *French King* had, during the Course of the said private, separate, and traitorous Negotiation, between him the said *Robert Earl of Oxford* and *Earl Mortimer*, and others, and the Ministers of *France*, signify'd his Consent to the Ministers of *Great Britain*, that the said Town and Fortrefs of *Tournay* should remain to the said States General as Part of their Barrier: And whereas her Majesty, in her Instructions of *December* the 23d, 1711, to her Plenipotentiaries at *Utrecht*, had expressly directed them

them to insist with the Plenipotentiaries of *France*, in the general Congress, that towards forming a sufficient Barrier for the States General, *Tournay* should remain to their High Mightinesses; and did afterwards declare herself conformably therewith, in her Speech to both Houses of Parliament, on the 6th of *June* 1712, in which she communicated to them the Terms whereon a Peace might be made. And whereas in several Years before, and till the said Months of *September* and *October*, in the Year of our Lord 1711, there was open War between her late Majesty and the *French King*, and the said War continuing for all the said Time, and afterwards, the said *French King* and his Subjects were Enemies to her Majesty; he the said *Robert Earl of Oxford* and *Earl Mortimer*, then Lord High Treasurer of Great Britain, and a Subject of her Majesty's, nor considering the Duty of his Allegiance, but having altogether withdrawn the cordial Love, and true and due Obedience, which every true and faithful Subject ow'd to her said Majesty, and designing to give Aid and Succour, and to adhere to the said *French King*, did, in or about the Months of *September* or *October*, 1712, during the said War, falsely, maliciously, wickedly, and traitorously aid, help, assist, and adhere to the *French King*, then an Enemy to her late Majesty; and in the Execution and Performance of his said aiding, assisting, and adhering, maliciously, falsely, and traitorously did counsel and advise the said Enemy, in what Manner, and by what Methods the said important Town and Fortrefs of *Tournay*, then in Possession of the States General, might be gain'd from them to the *French King*, contrary to the Duty of his Allegiance, and the Laws and Statutes of this Realm.

Art XII. That whereas her late Majesty Queen *Anne*, not only in Pursuance of the Treaties she stood engag'd in to her good Allies, and in particular to his Imperial Majesty, for the Recovery of the Monarchy of *Spain* to the House of *Austria*, thereby to preserve a due Ballance of Power in *Europe*, but also from her just Resentment against the Duke of *Anjou*, who then stil'd himself King of *Spain*, and who, in defiance of her Majesty's Title to the Crown, had acknowledged the Pretender as King of *Great Britain*; and on these just Foundations, her Majesty had, in Vindication of the Honour of the Crown, and in Justice to her People, at a vast Expence of Blood and Treasure, and on the earnest and repeated Advices of her Parliament, prosecuted a vigorous War against the said

said Duke of *Anjou*. And whereas, in the Years of our Lord 1710, 1711, 1712, the said open, bloody, and expensive War was carry'd on between her said late Majesty Queen *Anne*, and the said Duke of *Anjou*, and during all the Time aforesaid the said War did continue, and for all that Time the said Duke of *Anjou*, and the Subjects of *Spain* adhering to him, were Enemies to her late Majesty; he the said Robert Earl of *Oxford* and Earl *Mortime*, then Lord High Treasurer of *Great Britain*, and one of her Majesty's Privy Council, and a Subject of her said Majesty, not considering the Duty of his Allegiance, but having withdrawn his true Obedience from her said late Majesty, did, at several Times, in the said Years of our Lord 1710, 1711, and 1712, falsely, maliciously, wickedly, and traitterously aid, help, assist, and adhere to the said Duke of *Anjou*, then an Enemy to her said late Majesty, and in the Execution and Performance of his said aiding, helping, assisting, and adhering, and in Confederacy and Combination with the then Enemies of her late Majesty, and with divers other wicked and evil dispos'd Persons, did, at several Times, in the Years aforesaid, advise and counsel the Enemies of her late Majesty; and in such counselling and advising, did concert with them, and did promote the yielding and giving up *Spain* and the *West-Indies*, or some Part thereof, to the said Duke of *Anjou*, then in Enmity with her Majesty, against the Duty of his Allegiance, and the Laws and Statutes of this Realm.

Art. XIII. That whereas the Riches, Power, and Strength of these Kingdoms, depend entirely on the flourishing Condition of Trade and Navigation, and her late Majesty Queen *Anne* having due Regard thereto, as well as to the just Expectations of her People, after the vast Expences they had so chearfully undergone in Support of the War, did, on the first opening the Conferences for a general Peace, declare from the Throne to both Houses of Parliament, on the 7th of *December*, 1711, that she would endeavour, that after a War, which had cost so much Blood and Treasure, the Nation might find their Interest in Trade and Commerce improv'd and enlarg'd by a Peace: And on the 6th of *June* 1712, when she was pleas'd to communicate the Terms on which a general Peace might be made, did declare, that nothing had mov'd her Majesty from steadily pursuing the true Interest of her own Kingdoms, and that the Terms of Peace obtain'd for her own Subjects were such, as she had Reason to expect would
make

make her People some amends, for the great and unequal Burthen which they had lain under thro' the whole Course of the War, and hoped, that none of the Confederates would envy her Share in the Glory and Advantage; and afterward declar'd to both Houses of Parliament her Satisfaction in the near View she had of Peace, since it would, in some Measure, recompense her Subjects for their vast Expence: And after the Conclusion of the Treaty of Peace and Commerce with France, did declare from the Throne on the 9th of April, 1713, that the many Advantages she had obtain'd for her Subjects, had occasion'd much Opposition and long Delays to the Peace; but it afforded her great Satisfaction, that her People will have it in their Power, by Degrees, to repair what they had suffer'd during so long and burthenfome a War. Whereon both Houses of Parliament did from Time to Time express their grateful Acknowledgments to her Majesty, for her great Care and Concern for the Welfare of her People. And whereas, at the setting on Foot, and in the Progress of the said private, separate, and pernicious Negotiations between the Ministers of Great Britain and France, it was laid down as a Principle on the Part of Great Britain, never to be departed from, That France should consent to adjust the Interests of Great Britain in the first Place, that the Ministers of Great Britain might thereby be enabled to engage the Queen to make the Conclusion of the general Peace easy to France; and on this plausible Pretence, it was insisted on by the Ministers of Great Britain, to remit the Discussion of the particular Interests of the Allies to general Conferences; and throughout the whole Course of the said separate Negotiation, all imaginable Concessions were not only made by the Ministers of Great Britain for the real Advantage of the Interests of France against the Allies, but all Measures were enter'd into and concerted between them, that even the Ministers of France could dictate, in order to strengthen their Hands, and to enable them to impose the Terms of a general Peace; he the said Robert Earl of Oxford and Earl Mortimer, having nothing in View, thro' the whole Course of the said Negotiation, wherein he was wickedly and principally engag'd, in concert with France, but the final Destruction of his Country; and to that End, the sacrificing the Commerce of Great Britain to the Aggrandisement of France; was not only wanting in his Duty to her Majesty in not insisting on in all Events, and not procuring, in the first Place, the most cer-

tain and best Securities imaginable, for the Safety and Advantage of the Commerce of these Kingdoms; but did advise her late Majesty, that in the Propositions sent, by his Privy and Advice, by Mr. Prior to France, and also in the said private and separate Treaty, sign'd on the said 27th of September, 1711, wherein the Preliminary Demands for Great Britain more particularly were intended to be adjust'd with France; the Demands for Great Britain, in Point of Commerce, should not only be made in general, and insufficient Terms, but that the Liberty of Fishing, and drying of Fish on Newfoundland, should be expressly given up to France, tho' the Restitution of that small Part of the Island, which France had taken during the War, was therein referr'd to be discuss'd in General Conferences. And having, by his wicked Artifices, engag'd her Majesty in the said private Treaty with France, without any Security for the Commerce of Great Britain, he did artfully and cunningly contrive with the Ministers of France, to keep in Suspense all Matters that concern'd the Commerce of Great Britain, until, by means of his wicked and pernicious Counsels aforementioned, France was become Master of the Negotiations, and the chief Advantages for the Commerce of Great Britain by that Means remaining unsettled: And the Ministers of France afterwards disputing the most essential Articles which had been in Agitation, and in particular that fundamental Principle of treating and being treated *Gens Amicissima*, and endeavouring to elude what had been agreed on in the said private and separate Negotiation, for the supposed Advantage of Great Britain; he the said, Robert Earl of Oxford and Earl Mortimer, under Pretence of removing a Difficulty then depending, by an Expedient advantageous to Great Britain, did treacherously advise the Ninth Article of the Treaty of Commerce with France, a Bill for the rendering whereof effectual, was afterwards reject'd by the House of Commons, as highly prejudicial and destructive to the Commerce of these Kingdoms: But yet, for the Sake of gaining that destructive Article for Great Britain, as if the same had been advantageous, he the said Robert Earl of Oxford and Earl Mortimer, in Defiance of the express Provision of an Act of Parliament, as well as in contempt of the frequent and earnest Representations of the Merchants of Great Britain, and of the Commissioners for Trade and Plantations, did advise her Majesty finally to agree with France, That the Subjects of France should have Liberty of fishing and drying Fish on Newfoundland; and

and did also advise her Majesty to make a Cession to France of the Isle of *Cape Breton*, with Liberty to fortify the same, although the Isle of *Cape Breton* was Part of the ancient Territories of the Crown of *Great Britain*; and her Majesty had declar'd from the Throne, that France had consented to make an absolute Cession of *Nova Scotia* or *Acadia*, whereof *Cape Breton* is Part, to her Majesty. And the said *Robert Earl of Oxford* and *Earl Mortimer*, intending in all Events to secure to France the Advantages relating to the Fishery of *Newfoundland* and to *Cape Breton*, did, in Conjunction with the Ministers of France, advise her Majesty to consent, that the same should be made an Article in the Treaty of Peace between *Great Britain* and France: Whereas the only Advantages in Trade, pretended to be stipulated for *Great Britain*, being inserted in the Treaty of Commerce, were to depend on certain Conditions, to be made good by Act of Parliament; and pursuant to, and by the Influence of the said evil Counsel of him the said *Robert Earl of Oxford* and *Earl Mortimer*, her sacred Majesty was advis'd to ratify the said Article in the said Treaty of Peace, and the said Treaty of Commerce. By means of which pernicious Counsels, the good Intentions of her sacred Majesty, to have obtain'd for her People advantageous Terms of Commerce, were entirely frustrated the Trade and Manufactures of *Great Britain*, as far as in him lay, render'd precarious, and at the Mercy of the Enemy, and that beneficial Branch of Trade, always esteem'd the great Support of the Naval Power, and the chief Nursery of the Seamen of *Great Britain*, yielded up to the Subjects of France; and the only Pretence for the avow'd and notorious Violation of Treaties, and the carrying on the Measures of France, viz. the adjusting first the Interests of *Great Britain*, thro' the whole Course of the said private and separate Negotiations, terminated at last in the Sacrifice of the Commerce of *Great Britain* to France, without the least Shadow of Advantage in Trade procur'd for these Kingdoms.

Art. XIV. That he the said *Robert Earl of Oxford* and *Earl Mortimer* did, in Conjunction with other evil and false Counsellors, even without any Application from his Royal Highness the Duke of *Savoy*, and after the French King had in the Course of the said private and separate Negotiations, consented that the Kingdom of *Sicily* should remain to the House of *Austria*, form a Project and Design to dispose of the Kingdom of *Sicily* to the Duke of *Savoy*, from the House of *Austria*: And to effect that his unjust, dishonourable,

dishonourable, and pernicious Project, he did advise her Majesty to give Instructions, among other Things, to *Henry Viscount Bolingbroke*, then appointed her Ambassador to France, to demand in her Majesty's Name, of the French King, the Kingdom of *Sicily* for his said Royal Highness. And a Treaty of Peace being afterwards made between the French King, his Royal Highness, and the Duke of *Burgundy*, wherein a Cession is made to his Royal Highness of the Kingdom of *Sicily*, without any Concurrence or Participation of his Imperial Majesty; he the said *Robert Earl of Oxford* and *Earl Mortimer* did basely and scandalously advise her sacred Majesty to consent to the same, by an Article inserted in the Treaty of Peace between her Majesty and the French King: And afterwards, by his Privy and Advice, her Majesty was prevail'd on to assist his Royal Highness against the Emperor then in Alliance with her Majesty, with a Part of her Royal Fleet, at her own Expence, in order to put him in Possession of the said Kingdom of *Sicily*; whereby the greatest Injustice was done to his Imperial Majesty, in direct violation of the Grand Alliance, and contrary to her Majesty's frequent Declarations from the Throne, and her plain and full Instructions to her Plenipotentiaries at *Utrecht*, for obtaining his just and reasonable Satisfaction; and whereby National Faith, and the Honour of the Crown, was vilely betray'd, and the Naval Power of these Kingdoms, and the Supplies granted by Parliament for reducing the Common Enemy, were perfidiously employ'd against the great and faithful Ally of this Kingdom.

Art. XV. That whereas the Dignity and Support of the Imperial Crown of these Realms has in all Ages greatly depended on the Wisdom and Truth of the Communications made from the Throne, especially in Parliament, as the sure and only Means whereby the Kings and Queens of this Realm can receive the sincere and faithful Advice of their People, in Matters of the highest Importance, and which, by the fundamental Laws and Constitution of this Government, ought to be inviolably observ'd, as the sacred Band of the Duty and Affection of Subjects to their Sovereign. And whereas, by the most antient known Laws of this Kingdom, it is indispensably incumbent on the Great Officers of State, that surround the Throne, to maintain, as far as in them lies, the Sacredness of the Royal Word on all Occasions; it being most apparent, that the greatest Dishonour to the Throne, and the greatest Danger to these Kingdoms, must inevitably ensue, when-

ever

ever that Fountain of Truth, by wicked Counsels, shall be in any Degree corrupted, and thereby lose its just Influence, and necessary Authority. And whereas the Power of making Peace and War, one of the ancient undoubted, and most important Prerogatives of the Crown, has been always exercis'd by the Sovereigns of these Realms, with the strictest Regard to the Honour of the Crown, and the Welfare of the People, and for that End they have shewn great Wisdom in all Ages, taken the Advice of Parliament on such weighty Occasions. And whereas her late Majesty Queen Anne declar'd from the Throne her gracious Intentions to communicate the Terms of Peace to her Parliament, for their deliberate and serious Advice therein, wisely foreseeing, that the Safety of her Person and Government, of the Protestant Succession to the Crown, which she had nearest her Heart, and of the Protestant Religion, and of the Liberties of Europe, did inevitably depend on the happy Conclusion of the said Negotiations: He the said Robert Earl of Oxford and Earl Mortimer, then Lord High Treasurer of Great Britain, having taken on himself, throughout the said Negotiations, a most arbitrary and unwarrantable Authority, and the chief Direction and Influence in her Majesty's Councils; and most wickedly designing to prostitute the Honour of the Crown, and the Dignity of Parliaments, and not only totally to deprive her Majesty of the wholesome and necessary Advice of her Parliament in so great a Conjunction, but by misrepresenting the most essential Parts of the Negotiations of Peace, to obtain the Sanction of Parliament to his traiterous Proceedings, and thereby fatally to deceive her Majesty, her Allies, her Parliament, and her People; he the said Robert Earl of Oxford and Earl Mortimer, was not only wanting in the Discharge of that Duty to his Sovereign which became his high Station, by not advising against, and as far as in him lay, in all Events, by not preventing even any Intimation from the Throne to the Parliament, which was not conformable to the exactest Truth and Impartiality; but taking Advantage of his ready Access to her Majesty, and his exorbitant Influence in her Councils, to prepare, form, and concert, together with other false and evil Counsellors, several Speeches and Declarations to be made by her Majesty from the Throne to her Parliament, on the Subject of the said Negotiations of Peace, and did advise her Majesty to make the same to her Parliament. And particularly, by Means of his false and evil Counsels, her Majesty did, among

other Things, on the seventh of December 1711, declare from the Throne in these Words, or to the Effect following: *That notwithstanding the Acts of those who delight in War, both Place and Time are appointed for opening the Treaty of a General Peace. Our Allies, especially the States-General, whose Interest I look upon as inseparable from my own, have by their ready Concurrence, express'd their Confidence in me. Whereas it was then notorious to all Europe, and the said Robert Earl of Oxford and Earl Mortimer, and others by Accomplices, well knew that the principal Allies of her Majesty, and particularly the States-General, then had in the strongest and most pressing Manner represented, not only to her Majesty's Ministers in Holland, but afterwards by a Minister of their own directly to her Majesty, the Insecurity and Danger to the common Cause, by entering into general Negotiations with France on the Propositions sign'd by Monsr. Mesnager, and also their firm Opinion of the fatal Consequences that might ensue thereon: And altho' they had still great Apprehensions concerning the Method of opening the Conferences, and the Consequences that might happen thereupon; yet being wrought on by the Menaces and other extraordinary Methods used with them by her Majesty's Ministers, and relying on the solemn Assurances and Declarations of her Majesty, to support the Interest and Concern of their State, and to act in perfect Confidence and Harmony with them; they did at last, with the greatest Reluctance, consent to enter upon a general Negotiation of Peace with France. And in the same Speech her Majesty was prevail'd upon by the evil Counsels of him the said Robert Earl of Oxford and Earl Mortimer, and others, to declare in the Words, and to the Effect following: *That the Princes and States which have been engag'd with us in this War, being by Treaties entitl'd to have their several Interests secur'd at a Peace; I will not only do my utmost to procure every one of them all reasonable Satisfaction, but I shall also unite with them in the strictest Engagements for continuing the Alliance, in order to render the General Peace secure and lasting. And in her Message of the 17th of January following, her Majesty again expresses the Care she intended to take of all her Allies, and the strict Union in which she propos'd to join with them. Whereas, by the evil Influence of him the said Robert Earl of Oxford and Earl Mortimer, her Majesty was not only induced to enter into a private Negotiation with France, exclusive of her Allies; but the same was in like Manner carry'd on by him the said Robert Earl of Oxford**

and

and Earl Mortimer, and others. And the several Interests which the Allies were entitled to by their Treaties, were not only not secured to them by the Peace, nor any reasonable Satisfaction given to them; but the main Interests of her principal Allies, especially of his Imperial Majesty, were by the wicked Practices of him the said Robert Earl of Oxford and Earl Mortimer, and others, given up to France, and no Engagements were obtained for continuing the Alliance, in order to render the general Peace secure and lasting. And her Majesty having on many former Occasions expressed her Resolutions never to make Peace with France and Spain, so long as Spain and the West-Indies remain'd in the House of Bourbon; she was prevail'd upon, by the Advice of him the said Robert Earl of Oxford and Earl Mortimer, and others, to declare herself, in Answer to an Address of the House of Peers, the 11th 6th December, 1711, to the Effect following. viz. *I should be sorry any one could think I would not do my utmost to recover Spain and the Indies from the House of Bourbon.* Whereas it is most manifest, that the leaving the Kingdom of Spain and the Indies in the House of Bourbon was the Foundation of the private and separate Treaty between Great Britain and France, which had been before that Time signed even with her Majesty's Consent; and the same fundamental Resolution was immutably observed between them, to the Conclusion of the Peace. And her Majesty having frequently declared from the Throne, that her Resolutions in entering into the said Negotiations were to obtain a general, good, and lasting Peace; and the Plenipotentiaries at Utrecht being instructed to treat with France conformably to that End, he the said Robert Earl of Oxford and Earl Mortimer, in order to remove the just Suspicions which had been conceived of his private and separate Negotiations with France, did advise her Majesty to make this further Declaration in her said Message, the 17th of January, that *the World will now see how groundless those Reports are, which have been spread abroad by Men of evil Intentions, to serve the world's Designs; as if a separate Peace had been treated, for which there has not been the least Colour given: Whereas a private and separate Negotiation had been carried on for five Months together between Great Britain and France: and during that Time private Propositions had been sent from England, and a private Treaty with a Minister of France signed, even by her Majesty's Privy, exclusive of all the Allies, before the said Declaration made by her Majesty.* And private and

separate Measures were thenceforth carried on by the said Robert Earl of Oxford and Earl Mortimer, and his Accomplices, on Behalf of her Majesty with the Ministers of France, even to the Conclusion of the Peace with France. Her Majesty was further prevail'd on by the wicked Advice of him the said Robert Earl of Oxford and Earl Mortimer, in her Speech of June 6, 1712, to declare, that to prevent the Union of the two Crowns, she would not content with what was speculative, but insisted upon something solid: And in the same Speech to the Effect following, viz. *The Nature of the Proposal for a Renunciation is such, that it executes it self, and France and Spain are thereby more effectually divided than ever*: Whereas the Ministers of France had before that Time assured the Ministers of her Majesty, that to accept of the Expedient proposed on her Majesty's Behalf, would be to build on a sandy Foundation; and that the Renunciation would be null and void by the fundamental Laws of France; and that they would deceive themselves, who accepted it as an Expedient to prevent the Union of the two Crowns. And not only in the Particulars before-mentioned, but in many others contained in the said several Speeches and Messages made and sent to her Parliament, even while the said Negotiations of Peace with France were depending, the most essential Points relating to Peace and Commerce, and which concerned the Interest as well of the Allies as of Great Britain, were grossly misrepresented. By all which wicked, treacherous, and unexampled evil Councils, he the said Robert Earl of Oxford and Earl Mortimer did most basely, ungratefully, and scandalously abuse the Favour of his Royal Mistress, and by means of her Authority did mislead her Parliament into groundless and fatal Resolutions; and thereby not only prevented the just Advice of the Parliament to her Majesty in that critical Juncture, but obtained the Approbation of Parliament to his mysterious and dangerous Practices; and did not only deprive her Majesty of the Confidence and Affection of her Allies, but exposed her Majesty and her People to the Contempt of the common Enemy.

Art. XVI. That whereas the said Robert Earl of Oxford and Earl Mortimer, having in all Occasions used his utmost Endeavours to subvert the ancient established Constitution of Parliaments, the great and only Security of the Prerogative of the Crown, and of the Rights, Liberties, and Properties of the People; and being most wickedly determined at one fatal Blow, as far as in him lay, to
destroy

destroy the Freedom and Independency of the House of Lords, the great Ornament and nearest Support of the Imperial Crown of these Realms, and falsely intending to disguise his mischievous Purposes under a pretended Zeal for the Prerogative of the Crown; he the said Robert Earl of Oxford and Earl Mortimer, on or about the Months of December or January, 1711, whilst the House of Lords were under an Adjournment, and had Reason to expect that on their next Meeting Matters of the highest Importance would be communicated to them from the Throne, they having some few Days before given their humble Opinion and Advice to her Majesty, That no Peace could be safe or honourable to Great Britain or Europe, if Spain and the West-Indies were to be allotted to any Branch of the House of Bourbon; being then Lord High Treasurer of Great Britain, and one of her Majesty's Privy Council, and assuming to himself an arbitrary Direction and Controul in her Majesty's Councils, contrary to his Duty and his Oath, and in Violation of the great Trust reposed in him, and with an immediate Purpose to render ineffectual the many earnest Representations of her Majesty's Allies against the said Negotiations of Peace, as well as to prevent the good Effects of the said Advice of the House of Lords; and in order to obtain such further Resolutions of that House of Parliament on the important Subject of the Negotiations of Peace, as might shelter and promote his secret and unwarrantable Proceedings, together with other false and evil Counsellors, did advise her Majesty to make and create twelve Peers of this Realm, and Lords of Parliament; and pursuant to his destructive Counsels, Letters Patents did forthwith pass, and Writs issued, whereby twelve Peers were made and created: And did likewise advise her Majesty immediately to call and summon them to Parliament; which being done accordingly, they took their Seats in the House of Lords on or about the 2d of January 1711, to which Day the House then stood adjourned. Whereby the said Robert Earl of Oxford and Earl Mortimer did most highly abuse the Influence he then had with her Majesty, and prevailed on her to exercise, in the most unprecedented and dangerous Manner, that valuable and undoubted Prerogative, which the Wisdom of the Laws and the Constitution of this Kingdom hath entrusted with the Crown for the rewarding signal Virtue and distinguished Merit. By which desperate Advice he did not only, as far as in him lay, deprive her Majesty of the Countenance of those seasonable and wholesome Coun-

sels in that critical Juncture, but wickedly perverted the true and only End of that great and useful Prerogative, to the Dishonour of the Crown, and the irreparable Mischief to the Constitution of Parliaments. All which Crimes and Misdemeanours, committed and done by him the said Earl against our late Sovereign Lady the Queen, her Crown and Dignity, the Peace and Interest of this Kingdom, and in Breach of the several Trusts reposed in him the said Earl, and he the said Earl of Oxford and Earl Mortimer was Lord High Treasurer of Great Britain, and one of her Majesty's Privy Council during the Time thereof, and every the Crimes before set forth were done and committed. For which Matters and Things, the Knights, Citizens, and Burgeses of the House of Commons in Parliament assembled, do, in the Name of themselves, and of all the Commons of Great Britain, impeach the said Robert Earl of Oxford and Earl Mortimer of High Treason, and other High Crimes and Misdemeanours in the said Articles contained. And the said Commons by Protestation saving to themselves the Liberty of exhibiting, at any Time hereafter, any other Accusations or Impeachments against the said Earl, and also of replying to the Answers which the said Robert Earl of Oxford and Earl Mortimer shall make to the Premises, or any of them, as to any Impeachment or Accusation that shall be by them exhibited, according to the Course and Proceedings of Parliament, do pray that the said Robert Earl of Oxford and Earl Mortimer be put to answer all and every the Premises; and that such Proceedings, Examinations, Trials and Judgments may be upon them, and every of them had and used, as shall be agreeable to Law and Justice. And they do further pray and demand, that the said Robert Earl of Oxford and Earl Mortimer may be sequestered from Parliament, and forthwith committed to safe Custody.

Assoon as the Lord Coningsby, and the Commoners that accompanied him, were withdrawn, a Lord moved, that the Consideration of the Articles of Impeachment be adjourn'd to the Monday following, and was back'd by several Peers; particularly by Dr. Francis Atterbury, Bishop of Rochester, who urged, 'That this Accusation was of so extraordinary a Nature, and so very important, both in it self and its Consequences, that the House ought to proceed on it with the utmost Caution and Deliberation.' But he was smartly answer'd, by a Scotch Duke, who, among other Things, said, 'It was well known, the Pre-
' late

late who spoke last, had, of late, study'd more Politicks than Divinity; and was thoroughly acquainted with the Subject Matter of the Articles, that lay before them; and therefore did not doubt, but his Lordship was now as ready to speak to them, as he could ever be, if he had more Time to consider of them.' After a Debate of about an Hour and a half, the Question for adjourning was put, and carried in the Negative, by a Majority of 82 Voices against 54; and thereupon the Articles of Impeachment were read, which took up till about eight in the Evening. Then a Motion was made, (by the same Side that was for adjourning) that the Judges be consulted; that the House might be satisfied, whether the Charge contain'd in the said Articles amounted to Treason. The Lords Trevor and Harcourt, the Dukes of Shrewsbury and Leeds, the Earl of Poulet, the Lord North and Grosvenor, the Bishop of Rochester, and some other Peers of that Side, were for the Affirmative; but the Lord Comper, Lord Chancellor, the Dukes of Argyll and Montrose, the Earls of Nottingham, Sunderland, Dorset and Isla, the Lord Viscount Townshend, and some other Lords of the Court Party spoke for the Negative. The Lord Trevor having gone so far as to declare his Opinion, that none of the Articles amounted to High Treason; he was answer'd by the Lord Comper, who urged the contrary, and challenged all the Lawyers in England to disprove his Arguments. Nevertheless, the Tory Lords still insisting on the consulting of the Judges, the Earl of Nottingham represented to them, 'that instead of favouring thereby the noble Person who had the Misfortune to be impeach'd, as undoubtedly they meant it, they might on the contrary do him a great Prejudice; for if, upon consulting the Judges, they declared the Charge to amount to Treason, the said Lord would stand prejudged before he was brought to his Trial.' After some other Speeches, the Question was put upon the Motion before-mention'd, and carried in the Negative by 84 Voices against 52. And then it was moved by the Court Party, that the Earl of Oxford be committed to safe Custody, which occasion'd a fresh Debate. Several Peers of both Sides having declared their Opinion upon that Motion, the Earl of Oxford thought it high Time for him to speak for himself, which he did to this Effect:

My LORD,

IT is a very great Misfortune for any Man to fall under the Displeasure of so great and so powerful a Body as the Commons of Great Britain; and this Misfortune is the heavier upon me, because I had the Honour to be plac'd at the Head of the late Ministry, and must now, it seems, be made accountable for all the Measures that were then pursued: But on the other Hand, 'tis a very great Comfort to me under this Misfortune, that I have the Honour to be a Member of this august Assembly: An Assembly which always squares the Proceedings and Judgments by the Rules of Honour, Justice and Equity; and is not to be byass'd by a Spirit of Party.

My LORD,

I could say a great deal to clear my self of the Charge which is brought against me: But as I now labour under an Indisposition of Body, besides the Fatigue of this long Sitting, I shall contract what I have to say within a very narrow Compass. This whole Accusation may, it seems, be reduced to the Negotiation and Conclusion of the Peace: That the Nation wanted a Peace, nobody will deny; and I hope it will be as easily made out, that the Conditions of this Peace are as good as could be expected, considering the Circumstances wherein it was made, and the Backwardness and Reluctancy which some of the Allies shew'd to come into the Queen's Measures! This is certain, that this Peace, as bad as it is now represent'd, was approved by two successive Parliaments. It is indeed suggested against this Peace, that it was a separate one; but I hope, my Lord, it will be made appear, that it was general; and that 'twas France, and not Great Britain, that made the first Steps towards a Negotiation. And, my Lord, I will be bold to say, that during my whole Administration, the Sovereign upon the Throne was loved at Home, and feared Abroad.

As to the Business of Tournay, which is made a capital Charge, I can safely aver, that I had no manner of Share in it; and that the same was wholly transacted by that unfortunate Nobleman who thought fit to step aside: But I dare say in his Behalf, that if this Charge could be proved, it would not amount to Treason. For my own part, as I always acted by the immediate Directions and Commands of the late Queen, and never offended against any known Law, I am justify'd in my own Conscience, and unconcern'd for the Life of an insignificant old Man. But I cannot, without the highest Ingratitude, be unconcern'd for the best of Queens. A Queen who heap'd upon me Honours and Preferments, tho' I never ask'd for them, and therefore I think my self under an Obligation to vindicate her Memory, and the Measures she pursued, to my dying Breath.

My

My LORD,

If Ministers of State, acting by the immediate Commands of their Sovereign, are afterwards to be made accountable for their Proceedings, it may one Day or other be the Case of all the Members of this august Assembly: I don't doubt, therefore, that out of Regard to your selves, your Lordships will give me an equitable Hearing; and I hope that, in the Prosecution of this Enquiry, it will appear, that I have merited not only the Indulgence, but likewise the Favour of the Government.

My LORD,

I am now to take my Leave of your Lordship, and of this honourable House, perhaps for ever! I shall lay down my Life with Pleasure, in a Cause favour'd by my late dear Royal Mistress. And when I consider that I am to be judged by the Justice, Honour and Virtue of my Peers, I shall acquiesce, and retire with great Content: And, my Lords, God's Will be done.

Before the Question for committing the Earl of Oxford to safe Custody was put, the Duke of Shrewsbury acquainted the House, that the said Earl was, at present, very much indispos'd with the Gravel; and therefore he hoped the House would not immediately send him to the Tower, but suffer him to be, for two or three Days, under the Custody of the Black-Rod at his own House, where he might have the Attendance and Assistance of his Relations and Servants: That however, he (the Duke of Shrewsbury) did not propose this as a Motion, because he was against committing him at all; but only left it to the Consideration of the House. His Grace was seconded by the Earl of Boulet, and no Opposition being made by the other Party, the Earl of Oxford withdrew, leaving Word with the Usher of the Black-Rod, that he would be at Home. After this the Question was put, that the said Earl be committed to safe Custody, which was carried in the Affirmative, by 82 Voices against 50; and so the House rose about a Quarter past one in the Morning, when the Usher of the Black-Rod went to the Earl of Oxford's House; communicated to him the Order of the House of Peers, for taking him into Custody; and left some of his Officers for that Purpose in his Lordship's House. It was observ'd that when the Earl of Oxford went home, he was attended by a Mob that cry'd out high Church, Ormond and Oxford for ever, &c. It was likewise observ'd, that of twenty Bishops who were that Day in the House, six only were for the Earl of Oxford, viz. Sir William Dawes Archbishop of York, Dr.

John

John Robinson Bishop of *London*, *Dr. Francis Atterbury* Bishop of *Rocheſter*, *Dr. George Smalridge* Bishop of *Exeter*, *Dr. Francis Gaſſel* Bishop of *Cheſter*, and the *Lord Crew* Biſhop of *Durham*.

July the 11th, the *Lord Coningsby* acquainted the Commons, that he did the Saturday before, at the Bar of the Houſe of Lords, impeach *Robert Earl of Oxford* and *Earl Mortimer* of High Treason, and other High Crimes and Misdemeanours, and deliver'd in the Articles of Impeachment against him; and did pray and demand that the ſaid Earl might be ſequeſter'd from Parliament, and forthwith committed to ſafe Cuſtody. The ſame Day the Lords order'd, that the *Earl of Oxford* be brought to the Bar of their Houſe the next Morning, in order to be ſent to the Tower; and then their Lordſhips ſent a Meſſage to the Commons, to acquaint that honourable Houſe, that the Lords had order'd the Black-Rod to attach and take into ſafe Cuſtody *Robert Earl of Oxford* and *Earl Mortimer*; and that the Black Rod had returned to the Lords, that he had accordingly attach'd the ſaid Earl, and had him now in ſafe Cuſtody.

On the 12th of *July*, the *Earl of Oxford* was, according to Order, brought to the Bar of the Lords Houſe, where, having receiv'd a Copy of the Articles of Impeachment againſt him, he repreſented to their Lordſhips, that the ableſt Men in the Nation had been many Weeks in drawing up thoſe long Articles againſt him; and therefore he hoped the Houſe would allow him a proportionable Time to answer them. His Lordſhip took that Occaſion to return their Lordſhips his hearty Thanks for their great Humanity in not ſending him to the Tower the Saturday before; and as he ſtill labour'd under the ſame Indispoſition of Body, he humbly deſired their Lordſhips to permit him to continue ſome few Days more at his own Houſe under the Cuſtody of the Black-Rod. The *Earl of Oxford* being withdrawn to the Black-Rod-Room, the Lords reſolv'd to allow him a Month to answer the Articles of Impeachment; and as to his laſt Requeſt, *Dr. Mead*, one of his Lordſhip's Phyſicians being conſulted, and having made Affidavit, that if the Earl were ſent to the Tower his Life would be in Danger, a Motion was made, that he might continue in his Houſe till the Monday following; but this was oppoſed, and after a warm Debate, it was carried by 81 Voices againſt 55, that he ſhould be carried into the Tower, on Saturday the 16 of *July*. The moſt remarkable Paſſage in this Day's

Day's Debate, was as follows; the Earl of *Anglesea* having said, *that it was to be feared, these violent Measures would make the Scepter shake in the King's Hands.* Most of the Members were offended at this Suggestion, and some cry'd the Tower, and others only to Order. The Earl of *Sutherland* said, 'He trembled with Indignation to hear such Words pronounc'd in that noble Assembly; that if they had been spoke any where else, he would call the Person that spoke them to an Account; but all he could do there was to move that he might explain himself.' The Earl of *Sutherland* was seconded by the Duke of *Roxburgh*, who, among other Things said, that the Scepter was so well rivited in the King's Hand, that instead of shaking, it would crush all His Majesty's Enemies. The Earl of *Berkley*, and some other Lords back'd also the Earl of *Sutherland's* Motion: Whereupon the Earl of *Anglesea* stood up and said, 'That it was but too manifest by the Riots that were daily committed in several Parts of the Kingdom, that the Nation in general was against these Impeachments. That for his own Part, he was so far from approving those tumultuous Assemblies and Disorders that he rather wish'd a stop might speedily be put to them, by exemplary Punishments. That he had on several Occasions, given sufficient Proofs of his Zeal and Affection for the Revolution and the Protestant Succession. That what he had now advanc'd, was the Result of the same Zeal for the Peace and Prosperity of his Majesty's Reign: However, if he had been so unhappy as by any unguarded or passionate Expression, to give Offence to that august Assembly, he was very sorry for it.' Notwithstanding this Apology, some Members were inclin'd to have his Lordship sent to the Tower, but the very Words he had spoken not having been taken down in Writing, the House admitted his Lordship's Explanation; and so that Matter went no further. It is observable, that on this Occasion, besides the six Bishops before-mention'd, Dr. *George Hooper* Bishop of *Bath and Wells*, and Dr. *Adam Otely* Bishop of *St. David's* voted for the Earl of *Oxford*. The House of Peers having met on the 15th of July they adjourn'd to the 18th, to avoid, as 'twas generally imagin'd, any fresh Motion which the Earl of *Oxford's* Friends might make, for deferring his being sent to the Tower, whither, according to Order, he was carried by the Usher of the Black-Rod on Saturday July 16th, about 8 a-Clock in the Evening, in his Lordship's Chariot, attended by two Hackney Coaches, in which were the

Earl's

Earl's Lady, his Son the Lord *Harley*, and some other of the Earl's Relations and Servants. Although these three Coaches went from his Lordship's House near *St. James's Palace*, up *St. James's-Street*, and then through *Piccadilly*, *Gerrard-Street*, *Monmouth-Street*, *Holbourn*, and other less frequented Streets, with Design as 'twas thought to avoid a Crowd, yet were they attended by a great many of the common People, whose Numbers being much increased in their Return from the Tower, they raised an uproar in the Streets, with their Cry of High-Church, *Ormond*, and *Oxford* for ever; and when they came to *St. James's-Lane*, *Westminster*, some of them grew so outrageous as to throw Stones at, and break the Windows of several Houses: Upon which three or four of the Mutineers were by the Constables and Beadles carried to the Round-House.

On the 15th of *July*, the Commons in a Committee of the whole House, went through the Bill for preventing Tumults, &c. and the next Day Mr. Attorney-General having reported the Amendments they had made to the same, the first of them was agreed to; but the further Consideration of the said Amendments was adjourn'd. After this, the House being inform'd of great Disorders in the County of *Stafford*, by several evil-dispos'd Persons going from Place to Place in a tumultuous and riotous Manner, and that they had assaulted and wounded several of his Majesty's good Subjects without any Provocation; and that one Mr. *Bayley* was able to give the House an Account thereof, and that he was at the Door, he was order'd to be called in. Mr. *Bayley* being call'd in accordingly, gave the House an Account of what had happen'd in that County, as follows, viz.

THAT there are three Presbyterian Meeting Houses, which are not very remote from each other, viz. at *Dudley*, *West-Bromwich* and *Oldbury*. That the Proprietors of them, observing that several Meeting-Houses in that County had been pull'd down by the Mob, they advis'd with Lawyers about the Lawfulness of defending themselves; and then took a Resolution of doing it, and to assist each other. They procured a Warrant from Sir *Henry Gough* to the Constable of *West-Bromwich*, to keep such sufficient Watch and Ward as might be able to disperse tumultuous Rioters. On *Tuesday* last, the Mob came to *Bromwich*, but the brave Men who were set to guard the Meeting-House beat them off, and with

Hard

Hand-Whips and Cudgels made several of them smart, so that on their Knees they ask'd pardon, pray'd for King George, and promis'd not to offend any more; but the true Jacobines broke their Promise, and came next Day in greater Numbers, and with more desperate Weapons; such as Scythes, Reaping-Hooks set in proper Handles about two Yards long; large Clubs; and some Fire-Arms. But as soon they came up to the Guard, their Courage fail'd them, they flung down their Arms, and fled, many of which were pick'd up by Women who came out of their Houses to that purpose. It was thought proper to take some of them Prisoners; accordingly they pursued them, and took 36, and placed them in a publick Inn, with a strong Guard upon them, in order to take them before a Justice of Peace next Day: But that Night about 12 a-Clock there came a Mob from Birmingham of about a Hundred, intending to release them. They fired upon the Guard without Doors, and at the same Time attack'd the House and broke it; but the Guard beat them off, and took several Prisoners, which were the next Day, with the rest, had before Sir Henry Gough and his Son, who committed Part of them to Stafford-Goal, and bound over others to the Assizes. The same Day, which was Thursday last, the Mob came again, and now they came on with more than their usual Courage, which caus'd the advanc'd Guard to draw back nearer their main Body. The Rebels still came on with Fury, and as soon as they came within reach, fired upon the Guard, who then call'd up their Men, who had Fire-Arms, to their Assistance, who came, and quickly dispers'd them; a Gentleman had his Horse shot dead under him, and another mortally wounded: Some of the Guards are very much wounded, but it's hoped not mortally. They took several Prisoners, amongst which are the two Captains, one of which is said to be the publick Cryer of Wolverhampton. Some of those taken appear to be known Roman Catholicks. Whilst the Prisoners were under Examination, being ask'd who encourag'd them on to this Work? Two of them had the Confidence to say, they were told that two Gentlemen of Note, viz. Mr. Vernon, and Mr. Lane, would give 60 Guineas a-piece to encourage the Mob: It is likewise reported in the Country, that the Mob boasted the latter of these Gentlemen was to head them.

When

‘ When the Mob pull’d down the Meeting-House at
 ‘ *Wolverhampton*, one of their Leaders getting on the Top
 ‘ of the same, flourish’d his Hat round his Head, and
 ‘ cry’d, *G—d— K. G—ge*, and the *D. of Marlborough*
 ‘ A Fellow at the same Place, standing by, as an idle Specta-
 ‘ tor, was charg’d by the Rioters with being a Spy; and so
 ‘ attone for his supposed Offence, they made him go down
 ‘ on his Knees, and cry *God bless K. James the Third.*’

Mr. Bayley being withdrawn, Mr. Bracebridge, a Mem-
 ber of the House for *Tamworth* in *Staffordshire*, acquainted
 the House of a Letter wrote from that Country, relating
 those Disturbances, which he read in his Place; and the
 said Letter having been order’d to be brought up to the
 Table, and read, it was resolv’d *Nemine contradicente*,
 ‘ that an humble Address be presented to his Majesty, that
 ‘ he will be graciously pleas’d to give Directions to the
 ‘ several Magistrates throughout the Kingdom, that the
 ‘ Laws be put in a speedy, and the most vigorous Execu-
 ‘ tion, against all such Persons who shall be found any
 ‘ way concerned in the late rebellious and tumultuous
 ‘ Riots and Disorders committed, and now carrying on,
 ‘ in several Parts of this Kingdom, by Persons disaffected
 ‘ to his Majesty and his Government; and that a
 ‘ strict Enquiry be made, who are the Promoters and
 ‘ Authors of the said Tumults and Riots; and that an
 ‘ Account be taken of such Justices of the Peace as have
 ‘ failed in the Discharge of their Duty on these Occa-
 ‘ sions; and that such Justices, who shall appear to his
 ‘ Majesty to have neglected their Duty, be forthwith
 ‘ put out of the Commissions of the Peace; and that
 ‘ such other Magistrates who shall appear likewise to
 ‘ have neglected their Duty therein, may be proceed-
 ‘ ed against with the utmost Rigour of the Law; and
 ‘ that his Majesty will likewise be pleas’d to direct,
 ‘ that an exact Account may be taken of the Losses and
 ‘ Damages which his Majesty’s Subjects have sustained,
 ‘ by reason of these tumultuous and rebellious Proceed-
 ‘ ings; and that the Sufferers may have full Compensation
 ‘ made them for their Damages; and to assure his
 ‘ Majesty, that all such Expences as his Majesty shall be
 ‘ at on that Account, shall be made good to his Majesty
 ‘ out of the next Aids that shall be afterwards granted by
 ‘ Parliament; and also that the Laws against *Papists* and
 ‘ *Nonjurors* may be effectually put in Execution.’

Then the Commons resumed the Consideration of the
 Amendments made to the Bill for preventing Tumults, &c.
 which,

which, with other Amendments made to them, were agreed to, and the Bill order'd to be engross'd.

On Monday the 18th of July, the said Bill was read the third Time, (and after several Amendments were made to it) pass'd, and sent up to the Lords. And Mr. Lechmere, Solicitor General, from the Committee appointed to draw up an Address to his Majesty, having reported the same, it was agreed unto by the House, *Nemine Contradicente*, being as follows:

Most gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons in Parliament assembled, being highly concern'd at the continu'd Endeavours of the Enemies of your Person and Government, to disturb the Tranquillity and Happiness of your Kingdoms, and to deprive your People of the great Blessings they enjoy under your auspicious Reign: And it having appear'd to us, that, by the Encouragement, and the false and traiterous Insinuations of Persons disaffected to your Title and Government, great Numbers of your poor deluded Subjects have been prevail'd upon, in many Parts of the Kingdom, to assemble together, and in a tumultuous and rebellious Manner, to commit great Disorders, and do great Injuries to others of their Fellow-Subjects and Fellow-Protestants, we think it our indispensable Duty on this Occasion, to express our utmost Abhorrence of all such traiterous Proceedings, and our highest Resentment against the Authors and Promoters of them; and to renew to your Majesty the hearty and vigorous Resolutions of your faithful Commons, to support your Majesty and your Government against all your open and secret Enemies; and to contribute the utmost in our Power to the Honour and Safety of your sacred Person, and the Quiet and Security of your Government.

And to that End, we crave Leave most humbly to beseech your Majesty, that you will be graciously pleas'd to give Directions to the several Magistrates throughout your Kingdom, that the Laws now in Force may be put in a speedy, and in the most vigorous Execution, against all such Persons as shall be found any Way concern'd in the rebellious and tumultuous Riots and Disorders which have been committed, and are now carrying on, by Persons disaffected to your Majesty and your Government; and that a strict Enquiry may be made to discover the Authors and

and Promoters of them, so as they may be brought to condign Punishment.

And it being apparent, that the Neglect or Misbehaviour of many Justices of Peace, and other Magistrates, hath given great Encouragement to the said Disorders, we crave Leave, in all Humility, to beseech your Majesty, that an Account may be taken of such Justices of the Peace as have fail'd in the Discharge of their Duty on these Occasions; and that such of them as shall appear to your Majesty to have neglected their Duty, may be forthwith put out of the Commissions of the Peace; and that such other Magistrates as shall likewise appear to your Majesty to have neglected their Duty therein, may be proceeded against with the utmost Rigour of the Law.

And as your loyal Commons are fully assur'd, that by the Wisdom and Steadiness of your Administration, the Scepter in your Royal Hand will soon become a Terror to all those, who, by open or secret Practices, shall any Way abet the Enemies of your Person or Government; and from our most dutiful Regard to your Majesty, and in Justice to those of your Subjects, who, for their Zeal and firm Adherence to your Majesty and your Government, have been Sufferers in the said tumultuous and traitorous Disorders; we do most humbly beseech your Majesty, that you will be most graciously pleas'd to give Directions, that an exact Account be taken of the Losses and Damages which any of your Subjects have sustain'd, by Reason of the said tumultuous and rebellious Proceedings, and that the Sufferers may have full Compensation made them for their Damages; your faithful Commons most humbly assuring your Majesty, that all Expences which shall be incurr'd on that Account, shall be made good to your Majesty, out of the next Aids that shall be afterwards granted by Parliament.

And for the Security of your sacred Person, and the quieting the Minds of your faithful Subjects, we do further most humbly advise your Majesty, that you will be graciously pleas'd to give Orders, that the Magistrates throughout the Kingdom, in their several Stations, do speedily and effectually put the Laws in Execution against Papists and Nonjurors.

This Address having the next Day (July 19) been presented to the King by the whole House, his Majesty was pleas'd to return the following most gracious Answer:

Gentlemen,

Gentlemen,

I Thank you heartily for your Address, and the many Marks of Zeal and Affection which you express for my Honour and Safety, and the Security of the Kingdom.

I will give immediate Directions for putting in Execution the several Matters which you so justly recommend to me; and as I am resolv'd, on all Occasions, to follow the Advice of my Parliament, so I have no Doubt, but that, by the Blessing of Almighty God, and your seasonable and vigorous Assistance, I shall soon be enabled effectually to suppress that Spirit of Rebellion which is so industriously fomented among us, and to establish the Peace and Prosperity of my People.

The same Day likewise the Commons order'd, that the Reverend Dr. Linford, Prebendary of Westminster, be desir'd to preach before the House at St. Margaret's, Westminster, upon the 1st Day of August next, being the Anniversary of his Majesty's happy Accession to the Crown. Then the House proceeded in the further Hearing the Merits of the Election for the County of Bedford; and resolv'd, That John Harvey, Esq; sitting Member, was not duly elected, and, on the contrary, that John Cater, Esq; Petitioner, was duly elected a Knight of the Shire to serve in this present Parliament for the said County. After this it was order'd, That such Members of the Committee of Secrecy, who are Justices of the Peace for the County of Middlesex, do examine such Persons as they think fit at the said Committee, touching Matters contain'd in the several Books and Papers before them.

July 20. The Governor of the Bank of England being call'd in, laid before the House a Proposal for the publick Service; which was refer'd to the Grand Committee on Ways and Means; into which the House resolv'd itself immediately, and came to several Resolutions, the Report of which was order'd to be made the next Day. After this, the Commons were acquainted by a Message from the Lords, that their Lordships had agreed to the Bill for releasing William Paterson, Esq; &c. and to the Bill, entitled, An Act for preventing Tumults and riotous Assemblies, and for the more speedy and effectual punishing of the Rioters, without Amendment. Then the Speaker of the House of Commons having reported his Majesty's most gracious Answer to their Address, it was resolv'd, Nemine Contradice, that the humble Thanks of this House be return'd to his Majesty.

The same Day, the King went to the House of Peers with the usual State, and gave the Royal Assent to the following Bills.

An Act to explain the Act made in the 12th Year of the Reign of King William the Third, entitled, An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject.

An Act for preventing Tumults and riotous Assemblies, and for the more speedy and effectual punishing Rioters.

An Act for making perpetual an Act of the 7th and 8th Years of the Reign of his late Majesty King William the Third, entitled, An Act that the solemn Affirmation and Declaration of the People call'd Quakers, shall be accepted instead of an Oath in the usual Form; and for explaining and enforcing the said Act in Relation to the Payment of Tythes and Church Rates; and for appointing the Form of an Affirmation to be taken by the said People call'd Quakers, instead of the Oath of Abjuration.

An Act for continuing the Imprisonment of Robert Blackburn, and others, for the horrid Conspiracy to assassinate the Person of his late sacred Majesty King William the Third.

And to nine private Acts.

Then his Majesty was pleas'd to declare from the Throne, that he had given Direction to the Lord Chancellor to declare to both Houses a Matter of the greatest Importance in his Majesty's Name and Words; and accordingly the Lord Chancellor read a Speech deliver'd into his Hands by his Majesty from the Throne, as follows:

My Lords and Gentlemen,

THE Zeal you have shewn for preserving the Peace of my Kingdoms, and your Wisdom in providing so good a Law to prevent all riotous and tumultuous Proceedings, give me great Satisfaction; but I am sorry to find that such a Spirit of Rebellion has discover'd itself, as leaves no Room to doubt, but these Disorders are set on Foot and encourag'd by Persons disaffected to my Government, in Expectation of being supported from Abroad.

The Preservation of our excellent Constitution, and the Security of our Holy Religion, has been, and always shall be, my chief Care; and I cannot question but your Concern for these invaluable Blessings is so great, as not to let them be expos'd to such Attempts as I have certain Advices are preparing by the
Pretender

Pretender from Abroad, and carrying on at Home by a restless Party in his Favour.

Gentlemen of the House of Commons,

In these Circumstances, I think it proper to ask your Assistance, and make no Doubt but you will so far consult your own Security, as not to leave the Nation, under a Rebellion actually begun at Home, and threaten'd with an Invasion from Abroad, in a defenceless Condition: And I shall look upon the Provision you shall make for the Safety of my People, as the best Mark of your Affection to me.

The Commons being return'd to their House, it was resolv'd, *Nemine Contradicente*, That an humble Address be presented to his Majesty, to return the most humble and grateful Thanks of this House to his Majesty, for communicating to his Parliament, the Advices he has receiv'd of an Attempt preparing to be made upon the Nation from Abroad, abett'd and encourag'd by treasonable Practices at Home, in Favour of a Popish Pretender; and to assure his Majesty, that this House will, with their Lives and Fortunes, stand by and support his Majesty against all his open and secret Enemies; and to desire his Majesty, that he will immediately give Directions for fitting out such a Number of Ships as may effectually guard the Coasts, and to issue out Commissions for augmenting his Forces by Land; assuring his Majesty, this House will, without Loss of Time, effectually enable him to raise and maintain such a Number of Forces, both by Sea and Land, as shall be necessary for the Defence of his sacred Person, and for the Securing of his Kingdoms. After this, Mr. Freeman stood up, and represented, 'That in so important a Juncture, they ought to lose no Time in drawing up an Address; and therefore mov'd, That the said Resolution be forthwith laid before his Majesty by the whole House.' He was seconded by the Lord Guernsey, eldest Son to the Earl of Ailesford, who said, 'It was well known he had, on many Occasions, differ'd from some Members in that House; but being now convinc'd that our Liberty, Religion, and all that is dear to Englishmen, were aim'd at, he would (laying his Hand on his Sword) rather die with his Sword in his Hand, than survive the Pretender's coming in, tho' he were to enjoy the greatest Honours and Preferments under him.' Mr. Hampden did likewise back Mr. Freeman's Motion, which pass'd into a Resolution, *Nemine Contradicente*; and Mr. Controller, who was order'd to wait on the King to know

his Majesty's Pleasure, when he would be attended by the House, having, about six a-Clock in the Evening, reported, that his Majesty had been pleas'd to appoint immediately at his Palace at St. James's, the House went thither with their Speaker, and laid before his Majesty the said Resolution, to which the King was pleas'd to return the following Answer:

Gentlemen,

I Thank you heartily for this Address. The Zeal and Vigour which you shew upon this Occasion, will, I trust in God, enable me to defeat the evil Designs of our Enemies. I will immediately give Directions for such an Increase of our Forces, by Sea and Land, as I shall judge necessary for your Security; and will order Estimates of the Charge thereof to be laid before you.

The same Day, before the Commons waited on the King with the Address before mention'd, they resolv'd, immediately to take into Consideration his Majesty's gracious Speech, that Day made to both Houses; and the same being again read by Mr. Speaker, upon a Motion made, That a Supply be granted to his Majesty, it was unanimously resolv'd, That the House would the next Morning, resolve itself into a Grand Committee to consider of that Motion. Accordingly, on the 21st of July, it was resolv'd to grant his Majesty a Supply; which Resolution was, on the 22d. reported by Mr. Farrer; and agreed to by the House.

July 21. The House being mov'd, that the Act of the 31st Year of King Charles the Second, entitled, *An Act for the better securing the Liberty of the Subject, and for Prevention of Imprisonment beyond the Seas*: And also an Act of Parliament of Scotland, of the 31st of January, 1701, entitled, *An Act for preventing wrongous Imprisonment; and against undue Delays in Trials*, be read; the same were read accordingly: After which it was order'd, That Leave be given to bring in a Bill to empower his Majesty to secure and detain such Persons as his Majesty shall suspect are conspiring against his Person and Government. Hereupon Mr. Solicitor General immediately presented to the House, a Bill to empower his Majesty to secure and detain such Persons as his Majesty shall suspect are conspiring against his Person and Government; and the same was receiv'd and read the first Time, and order'd to be read a second Time. The Bill was accordingly immediately read a second Time, and committed

ted to a Committee of the whole House for the next Day. It was observ'd, that Mr. Shippen only made a slight Objection against the bringing in of the said Bill; which on the 22d of July, went through the Grand Committee, and was order'd to be ingross'd.

The same Day (July 21) Mr. Farrer reported also from the Grand Committee on Ways and Means, the Resolutions they had came to, viz.

1st, That the Proposition presented by the Governor and Company of the Bank of England, and refer'd by the House to this Committee, for supplying out of such a Fund as is therein mention'd, the additional yearly Sum of 120000*l.* during his Majesty's Life, (which God long preserve) for the Service of his Household and Family, and other his necessary Expences and Occasions; and a further yearly Sum of 54600*l.* to be a Fund or Security for raising a Sum not exceeding 910000*l.* as Part of the Supply granted for publick Services, upon such Terms and Conditions, and in such Manner, as in the said Proposition are express'd, be accepted.

2dly, That for answering the Sum of 28000*l.* per Annum, or thereabouts, mention'd in the said Proposition, the Duties on Hops, which have Continuance until the 1st of August 1715, be further continu'd and made payable to his Majesty, his Heirs and Successors, subject nevertheless to Redemption by Parliament.

3dly, That such of the Duties and Revenues for raising the general Fund to be establish'd pursuant to the said Proposition, as are now temporary, be made perpetual, subject also to Redemption by Parliament.

4thly, That if the Revenues settled by the Act of the 1st Year of his Majesty's Reign, (entitled, *An Act for the better Support of his Majesty's Household, and of the Honour and Dignity of the Crown of Great Britain*) together with the said additional Revenue of 120000*l.* per Annum, shall produce more in clear Money than the yearly Sum of 700000*l.* to be reckon'd from Michaelmas 1715. Then the Overplus of such Produce be made Part of the general Fund to be establish'd as aforesaid, and be appropriated, issu'd, and apply'd accordingly, until all the Exchequer-Bills shall be paid off, or the said general Fund shall be redeem'd by Parliament; and that afterwards such Overplus exceeding 700000*l.* per Annum, be not issu'd, granted, dispos'd, or apply'd to any Use or Purpose, or upon any Pretext whatsoever, without Authority of Parliament.

5thly, That any Sum, not exceeding 77694*l.* 1*s.* 7*d.* of Publick unappropriated Monies, which came into the Exchequer before the 12th of June 1714, be apply'd towards defraying his Majesty's extraordinary Expenses relating to the Civil Government between the Time of his Accession to the Throne and Michaelmas 1715.

6thly, That the said Sum of 910,000*l.* for publick Uses, be rais'd, by settling a perpetual Annuity after the Rate of 6*per Cent.* *per Annum*, to be redeemable by Parliament.

7thly, That so much of the Sum of 180000*l.* which was borrow'd on the former Act for laying the Duty upon Hops, and the Interest thereof, as is deficient and remaining unpaid, be satisfy'd out of the Sum of 910000*l.* to be rais'd as aforesaid. These Resolutions having been read, and agreed to by the House, it was order'd, That a Bill or Bills be brought in upon the same.

On the 22d of July the Commons order'd a Bill to be brought in, *To make the Militia of the Kingdom more useful* and read the second Time, and committed to a Committee of the whole House, the Bill for the further Security of his Majesty's Person and Government, &c. The same Day also Mr. Pulteney, Secretary at War, by his Majesty's Command, presented to the House an Estimate of the Charge of 3000 Dragoons and 4000 Foot *per Annum*, and of Levy-Money for the same; which Troops the King, with the Advice of his Privy Council, thought fit to raise at the present Juncture: And the said Estimate being read, was refer'd to a Grand Committee on the Supply. Then the House proceeded to the Hearing the Merits of the Election for the Burghs of Aberdeen, Montrose, &c. and resolv'd, That James Erskine, Esq; sitting Member, was not duly elected; and on the contrary, that John Middleton, Esq; was duly elected a Burgess to serve in this present Parliament for the said Burghs.

On the 20th of July the Lords resolv'd to present an Address to his Majesty, which was the same Day drawn up and agreed to, as follows:

Most gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, beg Leave to return your Majesty the most humble Thanks of this House, for your Majesty's most gracious Assurances, that the Preservation of our excellent Constitution, and the Security of our Holy Religion, has been, and always shall be,

your

your chief Care; and for communicating to your Parliament the Advices from abroad of an intended Invasion of these Kingdoms, countenanc'd and encourag'd by Insurrections here, some, fomented and stir'd up by the Abettors and Supporters of the Pretender's Interest. And we do most humbly assure your Majesty, that this House will stand by and assist your Majesty, at the Hazard of our Lives and Fortunes, in Support and Defence of your sacred Person, and your undoubted Right and Title to the Crown, in Defiance of all your open and secret Enemies.

This Address being the next Day presented to the King, his Majesty was pleas'd to make the following most gracious Answer:

My LORDS,

I Thank you for the zealous Affection you express towards me, and the Assurances which you give me in this Address; and you may depend on my punctually making good all those which I have given to my People, either on this or any former Occasion.

On the 23d of July, the Commons read the third Time, pass'd, and sent up to the Lords by Mr. Hampden, the impo-
s'd Bill to empower his Majesty to secure and detain sus-
pected Persons, &c. After which, Mr. Pulteney, by his Ma-
jesty's Command, presented to the House, an Estimate of
the yearly Charge of four Companies, to compleat the
Coldstream Regiment of Foot Guards to two Battalions,
and for Levy-Money for the same; which Estimate was
read, and referr'd to the Grand Committee on the Supply.
Then the House resolv'd itself into the said Committee,
and came to these two Resolutions, viz.

1st, That a Sum not exceeding 265754*l.* 7*s.* 6*d.* be
granted to his Majesty for the Pay of 3000 Dragoons and
4000 Foot, Commission Officers and Non-Commission
Officers included for one Year, and for the Charge of Levy-
Money for the same.

2dly, That a Sum not exceeding 5458*l.* 10*s.* be grant-
ed to his Majesty for the Charge of four Companies, to
compleat the Coldstream Regiment of Foot-Guards to two
Battalions for one Year, and for Levy-Money for the
same.

After this it was order'd, That the Grand Committee
appointed to consider of the Bill for the further Security of
his Majesty's Person and Government, &c. have Power to re-
ceive

ceive a Clause, to enable his Majesty to grant a Commission to administer the Oaths of Allegiance and Supremacy, and Abjuration to all Officers, common Seamen, and Soldiers. Then the House resolv'd itself into that Committee, and made great Progress in the said Bill; but were interrupted by two Messages, one was from the Lords, to acquaint them, that their Lordships had agreed to the Bill, entitled, *An Act to empower his Majesty to secure and detain such Persons as his Majesty shall suspect are conspiring against his Person and Government*; the other Message was from his Majesty, who being come to the House of Peers with the usual State, and the Commons sent for up, and attending, his Majesty was pleas'd to give the Royal Assent to the said Bill.

The Commons being return'd to their House, upon a Motion made by Mr. Secretary Stanhope, a Bill was order'd to be brought in, For encouraging all Superiors, Vassals, Landlords, and Tenants there, who have been, or shall be guilty of rebellious Practices against his said Majesty; and for making void all fraudulent Entails, Tailzies, and Conveyances made there, for barring or excluding the Effect of Forfeitures that may have been or shall be incurr'd there on any such Account; as also for calling any suspected Person or Persons in Scotland to appear at Edinburgh, or where it shall be judg'd expedient, to find Bail for their good behaviour. And that Mr. Secretary Stanhope, the Lord William Powlet, and Sir David Dalrymple, do prepare and bring in the same.

On the 25th of July, Mr. Farrer reported the Resolutions taken the Saturday before in the Grand Committee on the Supply, which were agreed to. After which, upon a Motion made by Mr. Boscawen, it was order'd Nemine Contradicente, That it be an Instruction to the Committee of the whole House, to whom the Bill for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales, and his open and secret Abettors, is committed, that they have Power to receive a Clause for rendering more effectual the Provision made in an Act in the 1st Year of his Majesty's Reign, entitled, *An Act for the better Support of his Majesty's Household, and of the Honour and Dignity of the Crown of Great Britain*, for seizing and securing the Person of the Pretender, by providing the Sum of 100,000*l.* which shall be paid to any Person or Persons, being Natives or Foreigners, who shall seize or secure, alive or dead, the Person of the Pretender, whenever he shall

shall land, or attempt to land in Great Britain or Ireland, or any other his Majesty's Dominions.

July 26. Mr. Carter reported the Amendments made to the Bill for the further Security of his Majesty's Person and Government, &c. which, with Amendments to some of them, were agreed to, and the Bill order'd to be engross'd. After this, Mr. Walpole made a Speech, wherein he took Notice, 'Of the Measures the King had taken, pursuant to the Desire and Advice of that House, to secure his Dominions; he represented, that in Case of an Invasion, the Standing Troops and new Levies would hardly be sufficient; and as he thought it necessary, so he mov'd, that the Officers in Half-Pay should be put in a Capacity to serve the Nation, by allowing them Full Pay.' General Stanhope seconded Mr. Walpole's Motion; and General Rofs only having made a slight Objection to it; suggesting, that, to save Expences, the Standing Regiments might be augmented, it was resolv'd, That an humble Address be presented to his Majesty, that he would be graciously pleas'd to allow Full Pay to such Half Pay Officers as were not otherwise provided for; and that his Majesty would give Orders to the said Officers to hold themselves in a Readiness, to be employ'd in such Manner as his Majesty should think fit; and to assure his Majesty, that this House will supply such extraordinary Expence as his Majesty should be at on this Account, out of the next Aids to be afterwards granted by Parliament. This Address being the same Day presented to the King, his Majesty was pleas'd to say, *That he look'd upon it as a fresh Instance of the Duty and Affection of this House, and of their Zeal for the Security and Preservation of his People and Government.* The same Day likewise, upon a Motion made by Mr. Pulteney, Secretary at War, a Bill was order'd to be brought in, *For the enforcing and making more effectual an Act of this present Parliament, entitled, An Act for the better regulating the Forces to be continu'd in his Majesty's Service, and for the Payment of the said Forces and their Quarters, for the better preventing Mutiny and Desertion:* Which Bill was, the next Day, presented to the House by Mr. Pulteney, and read the first Time; as was also, a Bill to make the Militia of this Kingdom more useful.

July 28. The Commons read the third Time the engross'd Bill for the further Security of his Majesty's Person and Government, &c. which, with several Amendments made to it, was pass'd, and sent up to the Lords.

July 29.

July 29, Upon the reading of a Petition of the Trustees for settling the poor *Palatines* in Ireland, praying, That a Time may be allow'd them wherein they might take the Oaths in order to intitle them (mentioned in a List annexed to the Petition, being two hundred and thirteen Families who are settled in Ireland,) to all the Benefits intended by the Act of the 7th Year of her late Majesty's Reign, (for naturalizing foreign Protestants) they having elapsed the Time for taking the said Oaths: A Bill was order'd to be brought in pursuant to the Prayer of the said Petition. Then the Bill for enlarging the Fund for the Governor and Company of the bank of England relating to Exchequer Bills, &c. was read the first Time: After which Sir James Bateman, Sub-Governour of the South-Sea Company presented to the House a Proposal from the General Court of the South-Sea Company, for raising the Sum of 822032 l. 4 s. 8 d. for the Service of the Publick; which was read, and refer'd to the Consideration of the grand Committee on Ways and Means to raise a Supply. Then the House having resolved it self into the said Committee, resolv'd to accept of the said Proposition: Which Resolution, and some others for the Relief of several Merchants, were, the next Day, reported by Mr. Farrar & a Bill or Bills order'd to be brought in thereupon.

July 30, Mr. Walpole reported from the Committee of Secrecy, that they had directed him to exhibit further Articles of Impeachment of High Crimes and Misdemeanours, against Robert Earl of Oxford and Earl Mortimer, which he read in his Place, and afterwards delivered them in at the Table, where they were read. And a Motion being made and the Question put, that the further Consideration of the said Articles be adjourn'd till the Tuesday following, it pass'd in the Negative. After this it was order'd, that the said Articles be read Article by Article; which was done accordingly, and, with Amendments to one of them, upon the Question severally put thereupon, they were agreed to by the House; and order'd, first, that the said Articles be engrossed; secondly, that a Clause be prepared for saving Liberty to the Commons to exhibit any further Articles against the said Robert Earl of Oxford and Earl Mortimer. Then the Commons, by reason of the Anniversary of his Majesty's happy Accession to the Throne, which fell on Monday the 1st of August, adjourn'd to Tuesday the 2^d; when the ingrossed further Articles of Impeachment against Robert Earl of Oxford and

and Earl Mortimer, for High Crimes and Misdemeanours, were read; after which it was order'd, that the Lord Coningsby deliver the said Articles to the Lords; which his Lordship did immediately. The said further Articles are as follow:

Art. XVII. That whereas in or about the Month of January, in the Year 1711, a dangerous and destructive Expedition had been projected and set on foot, under Pretence of making a Conquest on the Possessions of the French King in North America, but with a real Design to promote his Interests, by weak'ning the Confederate Army in Flanders, and dissipating the Naval Force of this Kingdom, as well as for the Sake of the private Interests and corrupt Gain of the Promoters of the said Expedition; he the said Robert Earl of Oxford and Earl Mortimer, being then one of her late Majesty's Privy Council, and one of the Commissioners of her Majesty's Treasury, was not only wanting in his Duty to her late Majesty, by wilfully and industriously absenting from the Meetings of other Persons, then in High Trust under her Majesty, wherein the said Expedition was concerted, and by not advising her Majesty against, and doing what in him lay, to have prevented the putting the same in Execution, but did, contrary to his Oath, and the high Trust then reposed in him, advise her Majesty to consent to the making an Expedition for the conquering Canada, and the City of Quebec, on the River of St. Lawrence, in North America; and in Execution of his said evil Counsels, he did further advise her Majesty to give Orders for detaching several Battalions of the Forces then in the Service of her Majesty, in Conjunction with her Allies in Flanders, and to send the same with a large Squadron of Men of War, on the said Enterprize; altho' the said Robert Earl of Oxford and Earl Mortimer, well knew, that the said Project of Expedition having been frequently deliberated on and maturely consider'd, a short Time before, in a Committee of Council, was then laid aside as dangerous and impracticable. And a Demand being made at the Treasury, on or about the Months of May or June 1711, for the Sum of 28000 l. or thereabouts, on Pretence of Arms and Merchandise said to be sent in the said Expedition to Canada, he the said Robert Earl of Oxford and Earl Mortimer, being then Lord High Treasurer of Great Britain, and one of her Majesty's Privy Council, tho' he well knew, or had Reason to suspect, that the same was

an unjust and exorbitant Demand, and a great Abuse on her Majesty and the Publick, and such as ought not to have been comply'd with, was not only wanting in his Duty, to her Majesty, in not giving his humble Advice against the said Demand, or at least in not representing to her Majesty the Grounds of such his Suspensions, but did, contrary to his Oath and his Duty, advise her Majesty that the said Sums should be issued and paid, and did accordingly countersign a Warrant to the Paymaster of her Majesty's Forces, for the Payment of the same, pursuant to which the same was accordingly issued and received. And in further Violation of his Oath, his Duty and Trust, and with the most corrupt Design to prevent the Justice due to her Majesty and the Nation, he the said *Robert Earl of Oxford* and *Earl Mortimer*, being then Lord High Treasurer of Great Britain, and exercising a most unexampled arbitrary Power, not only in her Majesty's private Councils, but extending his evil Influences to the great Council of the Nation: After the said Expedition had prov'd unsuccessful, and it had been discover'd to him the said *Robert Earl of Oxford* and *Earl Mortimer*, that the Nation had been cheated of above twenty thousand Pounds on that Account, did most ungratefully and corruptly employ his wicked Arts, and the Credit which he had gain'd, by his false and crafty Insinuations and Practices, to keep the House of Commons from examining that Affair. And in or about the Month of *August 1714*, in a Letter or Memorial, under his own Hand, to her late Majesty, he did presume, not only to ingratiate the ill Opinion he therein pretended always to have had of the said Expedition, but did declare the Suspensions he had of the great Injury and Abuse done to her Majesty and the Publick, in the Demand of the said 28000 *l.* even at that Time, when the same was made, and that the Publick had been cheated of above 20000 *l.* on that Account; and in the said Memorial did presume further to declare to her Majesty, that he was forc'd to use all his Skill and Credit to keep the House of Commons from examining that Affair the last Parliament, thereby vainly, but most wickedly, recommending himself to the Continuance of her Majesty's Favour, by the Success of his most profligate Measures. By all which unparalleled Corruptions, and most dangerous Counsels and Practices of him the said *Robert Earl of Oxford* and *Earl Mortimer*, the good and faithful Allies of her Majesty were deprived of the Aid of her Majesty's Troops, to which they

they were intitled by their Conventions, and the Confederate Army in *Flanders* was greatly diminish'd, to the apparent Advantage of the common Enemy. The publick Money, granted by Parliament for reducing the Power of *France*, and which was expressly appropriated for other special Services, was arbitrarily and illegally misapplied, embezzl'd, and an heavy Debt incur'd on the Nation, not only sitting the Parliament, but even in Contempt and Defiance of a Representation made by the House of Commons to the Throne, even whilst the said Expedition was concerting, and whereby the highest Injustice was done, in suppressing an Enquiry, so just to her Majesty and her People, and a lasting Reproach and Scandal brought on that House of Commons of which he boasted, as having been wrought on by his corrupt Influence, nor to examine into so high and so scandalous an Abuse.

Art. XVIII. That the said Robert Earl of *Oxford* and Earl *Mortimer*, not contented with the high Employments and Places of Honour and Profit bestow'd on him by her late Majesty, nor with the large and excessive Gains by him made by the Incomes and Profits of the said Employments, on or about the Month of *October* 1711, whilst the Nation was engaged in a most expensive War against *France* and *Spain*, for preserving the Ballance and Liberties of *Europe*, and greatly exhausted with the Supplies and Taxes for carrying on the same, and was under such heavy Debts as were impossible to be satisfy'd without the utmost Frugality or laying grievous Taxes upon the Commons of *Great Britain*: Contrary to his Oath and his high Trust, and making a most dishonourable and ungrateful Use of the ready Access he had to her late Majesty, did prevail on and advise her Majesty to sign a Warrant to himself, being then Lord High Treasurer of *Great Britain*, for the Issuing and Payment of the Sum of thirteen thousand Pounds to *John Drummond*, Esq; or his Assigns for such special Services relating to the War as her Majesty had directed; and the said Robert Earl of *Oxford* and Earl *Mortimer*, on or about the 24th of *November* following in pursuance of the said Warrant under her Majesty's Sign Manual, did sign a Warrant for the Payment of the said thirteen thousand Pounds for such special Services of the War, as her Majesty had directed, altho' no special Services had been, or were at any time afterwards directed by her Majesty, to which the said Monies were to be applied. And the said Robert Earl

an unjust and exorbitant Demand, and a great Abuse on her Majesty and the Publick, and such as ought not to have been comply'd with, was not only wanting in his Duty, to her Majesty, in not giving his humble Advice against the said Demand, or at least in not representing to her Majesty the Grounds of such his Suspicions, but did, contrary to his Oath and his Duty, advise her Majesty that the said Sums should be issued and paid, and did accordingly countersign a Warrant to the Paymaster of her Majesty's Forces, for the Payment of the same, pursuant to which the same was accordingly issued and received. And in further Violation of his Oath, his Duty and Trust, and with the most corrupt Design to prevent the Justice due to her Majesty and the Nation, he the said *Robert Earl of Oxford* and *Earl Mortimer*, being then Lord High Treasurer of Great Britain, and exercising a most unexampled arbitrary Power, not only in her Majesty's private Councils, but extending his evil Influences to the great Council of the Nation: After the said Expedition had prov'd unsuccessful, and it had been discover'd to him the said *Robert Earl of Oxford* and *Earl Mortimer*, that the Nation had been cheated of above twenty thousand Pounds on that Account, did most ungratefully and corruptly employ his wicked Arts, and the Credit which he had gain'd, by his false and crafty Insinuations and Practices, to keep the House of Commons from examining that Affair. And in or about the Month of *August* 1714, in a Letter or Memorial, under his own Hand, to her late Majesty, he did presume, not only to impute the ill Opinion he therein pretended always to have had of the said Expedition, but did declare the Suspicions he had of the great Injury and Abuse done to her Majesty and the Publick, in the Demand of the said 28000 *l.* even at that Time, when the same was made, and that the Publick had been cheated of above 20000 *l.* on that Account; and in the said Memorial did presume further to declare to her Majesty, that he was forc'd to use all his Skill and Credit to keep the House of Commons from examining that Affair the last Parliament, thereby vainly, but most wickedly, recommending himself to the Continuance of her Majesty's Favour, by the Success of his most profligate Measures. By all which unparallel'd Corruptions, and most dangerous Counsels and Practices of him the said *Robert Earl of Oxford* and *Earl Mortimer*, the good and faithful Allies of her Majesty were deprived of the Aid of her Majesty's Troops, to which they

they were intitled by their Conventions, and the Confederate Army in *Flanders* was greatly diminish'd, to the apparent Advantage of the common Enemy. The publick Money, granted by Parliament for reducing the Power of *France*, and which was expressly appropriated for other special Services, was arbitrarily and illegally misapplied, embezzl'd, and an heavy Debt incurr'd on the Nation, not only sitting the Parliament, but even in Contempt and Defiance of a Representation made by the House of Commons to the Throne, even whilst the said Expedition was concerting, and whereby the highest Injustice was done, in suppressing an Enquiry, so just to her Majesty and her People, and a lasting Reproach and Scandal brought on that House of Commons of which he boasted, as having been wrought on by his corrupt Influence, nor to examine into so high and so scandalous an Abuse.

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Earl of *Oxford* and Earl *Mortimer*, having privately desired Leave of the said *Drummond* to strike some Tin Tallies in his the said *Drummond's* Name, he pursuant thereto, direct that Orders amounting to the Sum of thirteen thousand Pounds should be charg'd in the Register of the Exchequer on the Monies arising by the Sale of Tin on the Name of the said *John Drummond*: And tho' the same were accordingly struck in the Name of the said *Drummond*, in or about the Month of *November* 1711, they were not deliver'd out to the said *Drummond*; but were kept in the Treasury-Chamber, or elsewhere in the Power or Custody of the said Earl, till the End of *January* following; when the said *Drummond* having Occasion, as the said *Robert Earl of Oxford* and Earl *Mortimer* well knew, to go into *Holland*, at the Desire and Request of the said Earl, he indors'd his Name on the said Orders, and by the Direction of the said Earl the same were left in the Hands of Mr. *John Taylour* a Clerk of the Treasury; and the said *Robert Earl of Oxford* and Earl *Mortimer* did in or about the Month of *June* 1712, send an Order in Writing to the said Mr. *Taylour* to deliver the said Tallies, (he having before that Time got Possession of the Orders) to a Servant of the said Earl, which was done accordingly, the said Indorsements not being at that Time fill'd up: And the said Earl of *Oxford* and Earl *Mortimer* having by these corrupt and scandalous Methods got the said Tallies and Orders into his own Hands, did afterwards fill up the Order of twelve thousand Pounds, Part of the said thirteen thousand Pounds to himself, and the remaining Part to such other Persons as he thought fit; and did afterwards on or about the Months of *August*, *October* and *November* 1713, at several Times dispose of the said Orders and Tallies to his own private Use and Advantage. And to cover the said scandalous Embezzlements, he the said *Robert Earl of Oxford* and Earl *Mortimer*, did afterwards, as he pretends, advise and prevail on her Majesty, on or about the 14th of *December* 1713, being near two Years after the Indorsement by the said *Drummond*, and some Time after the Earl had dispos'd of the said Orders and Tallies to his own Use, to sign a Warrant prepar'd by himself, wherein after the Recital of (His own good and faithful Services, which had leaded to the Quiet, Safety and Prosperity of her Majesty and her Realms, tho' accompanied with great Hazard to himself, and his Family; and that her Majesty was resolv'd to bestow upon him a Sum of ready Money: But the said Earl representing to her Majesty,

Majesty, that the Arrears then due to her Servants and Tradesmen were ~~very~~ great and pressing, her Majesty did therefore give and determine that he should have to his own Use the said several Sums amounting to thirteen thousand Pounds comprised in the Orders aforesaid, which were then not due in Course of Payment. It was directed that the said Drummond should assign the said Orders, and the whole Right and Benefit thereof to the said Earl and his Assigns; altho' the said Earl had privately and clandestinely procur'd from the said Drummond an Assignment of the said Warrant and Orders near two Years before, and had fraudulently and corruptly dispos'd and converted them to his own Use without her Majesty's Privy or Consent, some Time before her Majesty was prevail'd on to sign the said Warrant. And tho' the last mentioned Warrant, if any such there be, was not communicated to the said Drummond by the said Earl during her Majesty's Life, nor was the same countersign'd nor entred in the Treasury, yet he the said Robert Earl of Oxford and Earl Mortimer, even after his said Corruption had been discover'd in Parliament, did presume, even without the Knowledge of the said Drummond, to send the said Warrant to the Commissioners of his Majesty's Treasury, desiring that the same might then have been entred in the Treasury; but the same was with great Honour and Justice refus'd to be so entred. By which most vile and scandalous Corruption, he the said Robert Earl of Oxford and Earl Mortimer, was guilty of the most notorious Breach of his Oath and Trust as Lord High Treasurer of Great Britain, of the highest Abuse of her Majesty's Goodness, and Entrustment of her Treasure, and of the greatest Injustice and Oppression of other her Majesty's Subjects.

Art. XIX. That whereas by the establish'd and known Laws of this Kingdom, the Allowances or Appointments for the Maintenance and Support of Ambassadors, Envoys, Plenipotentiaries, and other publick Ministers of the Crown in foreign Courts, ought to be ascertain'd in due Form of Law, as well in Honour as in Justice to the imperial Crown of these Realms, and whereas the said Robert Earl of Oxford and Earl Mortimer, in or about the Month of July or August 1712, sent Matthew Prior, Esq; an Instrument and Creature of his own, into France, for the carrying on his separate and dangerous Negotiations; and did afterwards, in the Month of November 1712, by his evil Counsels prevail on her late Majesty, without the Privy of, or any Communication with her Allies, to

send the said *Matthew Prior* as her Majesty's Plenipotentiary to the *French King*, with Instructions to treat and conclude Matters of the highest Importance, relating to the general Negotiations of Peace; but, the same was a treacherous and wicked Contrivance of him the said *Robert Earl of Oxford* and *Earl Mortimer*, for the more effectual carrying on and promoting his private, separate, and dangerous Practices, with the Ministers of France, and the Enemies of her Majesty and her Kingdoms. He the said *Robert Earl of Oxford* and *Earl Mortimer*, not regarding his Oath, or his high Trust, or the Laws of the Kingdom, did most corruptly and scandalously combine with the said *Matthew Prior* for the defrauding her Majesty of very great Sums, under the Colour of his said Employments in France; and to that End, the said *Earl* did contrive that the said *Prior* should be sent into France, with the Character aforesaid, but without any settled Appointments and Allowances; but in the Stead and Lieu thereof, he the said *Robert Earl of Oxford* and *Earl Mortimer* did give the said *Matthew Prior* an unlimited Credit, and did promise to answer and pay such Bills as the said *Prior* should draw on him during his Residence in France; pursuant to which, Contrivance and corrupt Agreement, he the said *Matthew Prior* did between the 27th of August, in the Year 1712, N. S. or thereabouts, and the 10th of July 1714, at several times draw Bills of Exchange, to the amount of twelve thousand three hundred and sixty Pounds, or thereabouts, on him the said *Robert Earl of Oxford* and *Earl Mortimer*, which he being then Lord High Treasurer of Great Britain, did advise and prevail on her Majesty to sign Warrants for the Payment of, and did countersign the same, altho' the said *Prior* was no way intitled to any such Allowances by Reason of his said Employment, and the same greatly exceeded the Allowance even of an Ambassador of the Crown of Great Britain. And the said *Robert Earl of Oxford* and *Earl Mortimer*, did in the Year 1712, 1713, and 1714, without any Colour of Authority, but for the further promoting his corrupt and wicked Purposes, prevail on and advise her Majesty to sign Warrants, which were countersign'd by himself for the Payment of the Sum of five thousand five hundred and sixty Pounds, or thereabouts, to the Use of *Thomas Harley, Esq;* a near Relation and Emisary of him the said *Robert Earl of Oxford* and *Earl Mortimer*, out of the Monies appropriated to the Use of her Majesty's Civil List, and did, in like Manner, at several Times in the

the Years aforesaid, most illegally, fraudulently, and corruptly issue or direct, or advise the Direction and Payment of several other large Sums of Money, to other Persons out of her Majesty's Treasury: By which most illegal and scandalous Management the said Robert Earl of Oxford and Earl Mortimer has introduc'd a Practice highly prejudicial to, and utterly inconsistent with the Constitution of this Kingdom, and of the most pernicious Consequence, by opening a Way for the most dangerous Corruptions; and was not only guilty of a notorious Breach of his Duty but enter'd into the most base and scandalous Conjunction with the Persons above-mention'd, and others, under Pretence and Colour of promoting her Majesty's Service, to defraud her Majesty of the publick Money, which he was intrusted with the Management of, for the Support of the Honour and Dignity of the Crown.

Art. XX. That whereas the Revenues arising to the Crown from the hereditary Excise and Post Office, or some Parts thereof, were by virtue of Letters Patents of the late King James II. charged with and made liable to certain Annuities or yearly Sums, in Trust for, or to the use of, Mary the Consort of the said King James II. But the said Revenues were afterwards by several Acts of Parliament granted and settled for the Support of the Royal Household, and of the Honour and Dignity of the Crown; or for other publick Uses, without any Saving or Exception of the said Letters Patents. And whereas by an Act made in the twelfth Year of her late Majesty's Reign, the Sum of five hundred thousand Pounds was granted to her late Majesty for the Discharge of divers Arrears of Salaries, Diet Monies, and other Allowances, and dry Debts for Pre-emptories, Provisions, and other Causes, which had then incurr'd and grown due to her late Majesty's Servants, Tradesmen, and others, and were occasioned by several extraordinary Expences since the Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown: And the said Sum of five hundred thousand Pounds was expressly appropriated to the Uses aforesaid, in Aid of the said Revenues or Branches which were appointed for the Support of her Majesty's Household, and of the Honour and Dignity of the Crown: And whereas by an Act made in the thirteenth and fourteenth Years of his late Majesty King William III. It was enacted, for preventing traitorous Correspondence between his Majesty's Subjects and the pretended Prince of Wales, or his Adherents; That if any of

the Subjects of the Crown of England from and after the first Day of March 1701, should within this Realm or without, hold, entertain, or keep any Intelligence or Correspondence in Person, or by Letters, Messages or otherwise, with the said pretended Prince of Wales, or with any Person or Persons employed by him, knowing such Person to be so employ'd, or should by Bill of Exchange or otherwise, remit or pay any Sum or Sum of Money for the Use or Service of the said pretended Prince of Wales, knowing such Money to be for such Use or Service, such Person so offending being lawfully convicted, should be taken, deemed and adjudged to be guilty of High Treason, and shall suffer and forfeit as in Cases of High Treason. He the said Robert Earl of Oxford and Earl Mortimer, having by the Means of the said Matthew Prior, held a private and unlawful Correspondence with the said Consort of the late King James II. then residing in France, and being determin'd secretly to promote as far as in him lay, the Interest of the Pretender, but yet contriving to avoid the said Penalty of High Treason; and the said Consort of his late Majesty King James II. having empower'd Abbot Gualtier (a Popish Priest, and busy Emissary between Great Britain and France, during the said private and separate Negotiations of Peace, and who was particularly entrusted as the common Agent between the Ministers of Great Britain and France, in transacting the most secret Affairs relating to the Pretender) to concert with the said Robert Earl of Oxford and Earl Mortimer the settling the Payment and Remittance of a very great yearly Sum out of her Majesty's Treasury into France, under Colour and Pretence of the said Letters Patents; and the said Robert Earl of Oxford and Earl Mortimer, having held frequent clandestine Conferences with the said Abbot Gualtier on the Subject aforesaid, and having by his evil Counsels sacrificed to France the common Interests of Europe; and being resolved that the first Fruits of the Peace with France, should be an Offering made, by his immediate Procurement, to the nearest and most avowed Adherent of the Pretender, tho' at the great Expence of the Honour and Safety of her Majesty and her People, did soon after the Conclusion of the Peace with France, agree and undertake to procure the Payment of the yearly Sum of forty seven thousand Pounds and upwards to or for the Use of the said Consort during her Life. And in Execution of his said Purpose did afterwards on or about the 23d of December 1713, being then Lord High Treasurer of Great Britain, and of her Majesty's Privy Council, advise her late Ma-

Jolly, a Warrant to himself in the Words, or to the
 Effect, *(viz.)* Anne R. Whereas our late Royal Fa-
 ther, *James II.* by Letters Patents under his Great Seal,
 bearing date on or about the 28th Day of August 1685, did
 grant unto Laurence Earl of Rochester, Henry Earl of Pe-
 rborough, Sidney Lord Godolphin, Robert Worden Esq;
 and Sir Edward Herbert Knt^s (who are ad since deceased)
 three Annuities, or yearly Sums amounting to thirty seven
 thousand three hundred and twenty eight Pounds thirteen Shil-
 lings and seven Pence, to hold to them and their Heirs during
 the Life of his then Royal Consort, Mary now Queen Dowager
 in Trust for her; and by other Letters Patents bearing date
 on or about the 3d Day of December 1686, did also grant un-
 to the said Queen, a farther Pension or yearly Sum of ten
 thousand Pounds to hold during her natural Life, all which
 were made payable in such Manner as in the said several Let-
 ters Patents is more fully express^t. Our Will and Pleasure now
 is, And we do hereby direct, authorize and command, that you
 cause Payment to be made to the Heirs of such of the said
 Trustees as was the longest Liver of them, of so much as since
 the 25th Day of March last 1713, is incurred or grown due
 on the said Annuity or yearly Sums amounting to thirty seven
 thousand three hundred twenty eight Pounds thirteen Shillings
 and seven Pence, and to the said Queen Dowager on her As-
 signs of so much as since the said 25th of March last 1713,
 is incurred or grown due on the said Annuity, of ten thousand
 Pounds, according to the Purport of the several Grants, or
 Letters Patents above recited, as also of what shall hereafter
 become due and payable upon the said several Annuities Quar-
 terly, during the Life of the said Queen Dowager, and for so
 doing, this shall be four Warrants given at our Court at Wind-
 sor-Castle the 23d Day of December 1713, in the twelfth
 Year of our Reign. And he did afterwards, on or about
 the 24th of December following, sign a Warrant to the Au-
 ditor of the Receipt of her said Majesty's Exchequer, re-
 quiring him to make and pass Debentures for paying to
 such Person or Persons, as is, are, or shall be authorized
 to receive the Sum of nine thousand three hundred thirty-
 two Pounds three Shillings and four Pence three Farthings
 for one Quarter incurr'd upon the said several yearly Sums
 therein mentioned from Lady-Day to Midsummer following,
 and appointed the same to be satisfied out of the Sum of
 five hundred thousand Pounds appropriated by an Act pas-
 sed the last Session of Parliament, for or towards payment
 of such Debts and Arrears as were therein mentioned.

And another Warrant to the said Auditor to make and

pass Debentures for paying to the said Queen's Treasurer, or Receiver, the Sum of Two thousand Pounds, for one Quarter incur'd on the Pension of five hundred Pounds from Lady Day 1713, to Midsummer last past, and appointed the same to be satisfy'd by the Sum of Five hundred thousand Pounds appropriated by an Act pass'd the then last Session of Parliament, for the Payment of such Debts and Arrears as were therein mention'd; whereby the said Robert Earl of Oxford and Earl Mortimer, did most wickedly betray and dishonour of her late Majesty and the Imperial Crown of these Realms, in advising her Majesty, under Colour of the said Letters Patents, and without the Advice of her Council or her Parliament, to direct the issuing of the Revenue provided by Parliament, for the Support of the Honour and Dignity of her Crown, to the Use and Benefit of the open and avow'd Adherents of the Pretender; and did most arbitrarily, illegally, and corruptly advise the Imbeizement and Misapplication of so much of the said Sum of Five hundred thousand Pounds, in Contempt and Defiance of the express Appropriation of an Act of Parliament.

Art. XXI. That whereas by the ancient and undoubted Laws of this Kingdom, no Person being a natural-born Subject of this Realm, or within any of the Dominions thereunto belonging, and having committed and being under the Guilt of High Treason, ought to be receiv'd within this Kingdom, as a publick Minister, or with any Character from any Foreign Prince, State, or Potentate: And whereas some Time in the Year 1713, one Patrick Lilech, styling himself, and commonly call'd Sir Patrick Lawless, an Irish Person, who had serv'd with the late King James the Second, in the War in Ireland, against his late Majesty King William the Third of ever glorious Memory; had follow'd the said King James into France, and continu'd in the most open and avow'd Manner in his Interests and Service, and in Rebellion against his said Majesty King William, had bore high Commissions, and been in open Arms against her late Majesty Queen Anne in the late War in Spain) did come into this Kingdom, and pretended to have, and did take on himself the Character of a Minister sent from Philip King of Spain, to her late Majesty, to treat of Matters of the greatest Importance to the Honour and Safety of her Majesty and her Kingdoms, and having given Notice of the same to Robert Earl of Oxford and Earl Mortimer, then Lord High Treasurer of Great Britain, and of her Majesty's Privy Council, and who

then assumed to himself the supreme Direction in
 her Majesty's Councils; he the said Robert Earl of Oxford
 and Earl Mortimer, was not only wanting in his Duty to
 her Majesty, in not advising her Majesty against receiv-
 ing the said Lilech alias Lawless in the Qua-
 lity aforesaid; but did, together with other false and
 wicked Counsellors, advise her Majesty to receive and admit
 him as a Minister from his said Catholick Majesty. And
 the said Earl did presume frequently to meet, confer, and
 negotiate the most important Affairs of this Nation with
 the said Lilech alias Lawless, in the Quality aforesaid. And
 the better to conceal his said illegal and dangerous Mea-
 sures from her said Majesty, he the said Robert Earl of
 Oxford and Earl Mortimer, was privy, consenting, and
 advising, that the said Lilech alias Lawless should be intro-
 duced to her said Majesty, and should be receiv'd and
 treated with by her Ministers, under the false and dis-
 guised Name of Don Carlo Moro. And the House of
 Lords, some time in the Months of April, 1714, having
 taken Notice of the said dangerous Attempt of the said
 Lilech alias Lawless, on or about the 9th of the said Month,
 made an humble Address to her Majesty, That she would be
 graciously pleas'd to issue her Royal Proclamation, commanding
 all proper Officers and Magistrates to make diligent Search for,
 and to apprehend all Popish Priests, and to put the Laws in
 Execution against them, and likewise to enquire after, and
 apprehend all such Persons, as had serv'd in Arms against her
 Majesty, or their late Majesties King William and Queen Mary,
 and who were then within this Kingdom, contrary to Law, to
 the End they might be brought to Justice: To which her
 Majesty was graciously pleas'd to return an Answer to the
 Effect following, viz. That she would give Orders pursuant
 thereunto, and a Proclamation accordingly issue: And
 on the said 9th Day of April, the House of Lords having
 under their Consideration what further Security could be
 provided for strengthening the Protestant Succession in the
 House of Hanover, came to the following Resolution, viz.
 That no Person, being a natural born Subject of Great Bri-
 tain, or within any of the Dominions thereunto belonging, and
 who having traiterously serv'd against her Majesty, ought to
 be receiv'd as a Publick Minister, or with any Character with-
 in this Kingdom: Notwithstanding which, he the said
 Robert Earl of Oxford and Earl Mortimer, having no Re-
 gard to the Safety of her Majesty's Person, or to the Se-
 curity of the Protestant Succession, and setting himself
 in utter Defiance, not only of the Advice and Resolution

of the House of Lords, but other Majesty's Assurances to
that House of Parliament, and of her Majesty's Authority
and Command by her Proclamation under the Great Seal,
instead of doing what in him lay to have ^{the said} ~~the said~~
and brought, or caus'd the said, ^{the said} ~~Lilch~~ alias ^{the said} ~~Lilch~~
brought to Justice, did afterwards, on or about ^{the said} ~~the said~~
of March, 1714, most wickedly and treacherously ^{the said} ~~the said~~
her Majesty to sign a Warrant, directing the Payment
One Thousand Pound Sterling to ^{the said} ~~the said~~ Arthur, for her
Special Services, which being accordingly ^{the said} ~~the said~~ re-
ceiv'd by the said Arthur, he the said Earl did privately
and corruptly direct the said Arthur to pay ^{the said} ~~the said~~, and
accordingly the said Thousand Pounds was ^{the said} ~~the said~~ to the
Use of the said Lawless. And the said Robert Earl of Ox-
ford and Earl Mortimer, did, at other Times, in a fictiti-
ous and scandalous Manner, direct the Payment of other
considerable Sums of Money out of her Majesty's Treas-
ure, to the said Lilch alias Lawless, which were accord-
ingly paid to him; altho' it was notorious, that the said
Lilch alias Lawless had not only traiterously serv'd in
Arms against her Majesty, but had been the Minister and
Agent of the Pretender at the Court of Madrid, and was
under strong Suspicions of being sent into England under
the Pretences aforesaid, secretly to promote the Interest
of the Pretender in these Kingdoms. By all which cor-
rupt and evil Counsels, he the said Robert Earl of Oxford
and Earl Mortimer, did most basely and ungratefully ex-
pose the Person of her Sacred Majesty, did what in him
lay to enervate and render ineffectual the Advice of Par-
liament, and her Majesty's most solemn Declarations, in
a Matter of nearest Concern to her Majesty and her King-
doms, and by countering, in the most corrupt and
scandalous Manner, the Overt Emiffaries of the Pretender,
did, by that Means, greatly encourage his open Adherents,
to the apparent Danger of the Protestant Succession to the
Imperial Crown of these Realms.

Art. XXII. That whereas her late Majesty Queen Anne, after several unsuccessful Attempts, in Conjunction with her Allies, to establish his present Imperial Majesty on the Throne of Spain, being inform'd, that the People of Catalonia were inclin'd to cast off the Yoke impos'd upon them by the French, and to return to the Obedience of the House of Austria, and her Majesty being desirous to maintain and improve that good Disposition in them, and to induce them to put the same speedily in Execution, did send *Mitford Crow*, Esq; to them, with necessary Powers

and Instructions to carry on so great a Work, for the Advancement of her Service, and the Good of the common Cause; and for that End, to treat with the *Catalans*, or the People of *Spain*, about their coming into the Kingdom of *Castile* in King *Charles the Third*, his present Imperial Majesty, joining with her Majesty and her Allies against their common Enemy: And her Majesty, after her gracious Assurances to assist them with Men and Money, was pleas'd to authorize her said Minister, to give them her utmost Assurances to procure the Establishment of all such Rights and Immunities, as they had formerly enjoy'd under the House of *Austria*; that for their further Satisfaction, she had sent for Powers from King *Charles the Third* for confirming the same, and was willing to become Guarantee that it should be done: Nevertheless, on this express Condition, that they should receive the said King *Charles* as lawful King of *Spain*, and utterly renounce the House of *Bourbon*. And, together with the said Instructions, her Majesty was pleas'd to sign, and cause to be deliver'd to her said Minister, Credential Letters to the Nobility, Magistrates, and all other Officers Civil and Military of *Catalonia*, desiring them to depend on the Promises he should make them in her Name. And in her Majesty's Instructions to the Earl of *Peterborough*, and to Sir *Cloudefly Shovel*, in or about the Month of *May*, 1705, they are order'd to use their utmost Endeavours to induce the *Catalans* to join with them in their Undertaking, and to assure them of her Majesty's Support, and to promise them, in the Queen's Name, that she would secure them a Confirmation of their Rights and Privileges from the King of *Spain*, that they might be settled on a lasting Foundation to them and their Posterities. And in Case Persuasions should not prevail, and the *Catalans* should not make a suitable Return to those kind Offers, they were order'd to annoy their Towns on the Coasts of *Spain*, and to reduce them by Force. And, in Conformity to these Instructions, a Manifesto or Declaration was prepar'd, by the Privy and Advice of *Robert* Earl of *Oxford* and Earl *Mortimer*, then one of her Majesty's Principal Secretaries of State, and deliver'd to the said Earl of *Peterborough*, full, on the one Hand, of the Assurances afore-mention'd, and, on the other Hand, of Menaces to them, in Case they declin'd her Majesty's Overtures, which Manifesto was afterwards publish'd by him the said Earl of *Peterborough* in *Catalonia*: And whereas the Nobility, Clergy,

Clergy, and the whole Principality of *Catalonia*, and the Inhabitants of the Isle of *Majorca*, relying on the Faith of those Royal Assurances, did utterly assure themselves of *Bourbon*, and acknowledg'd King *Charles* as their present Imperial Majesty, for their lawful Sovereign; they did join their Arms with those of her Majesty or Successors, Allies against the Duke of *Anjou*. And it having pleased Almighty God so far to bless her Majesty's pious and generous Undertaking, as by most signal Successes in those Times, to deliver the Principality of *Catalonia* from the heavy Yoke of *French* Bondage; and great Supplies having been granted by Parliament, for the reducing the whole Kingdom of *Spain* to the Obedience of the House of *Austria*, the Arms of her Majesty and her Allies were attended with vast Successes, having twice enter'd the Capital-City of that Kingdom, and obtain'd many other signal Conquests, to the great Advantage of the common Cause. And thro' the whole Progress thereof, the bravery and Firmness of the *Catalans* being always remarkable, thereby, as well as from the repeated Assurances given to them from Time to Time in her Majesty's Name, by every General and Minister sent from *Great Britain* to *Spain*, the Hearts of that brave People were united by the strongest Ties of Affection and Gratitude to her Majesty, and were justly held in the strictest Dependence on the Continuance of her Royal Protection; but the said *Robert* Earl of *Oxford* and Earl *Mortimer*, being an Enemy to the common Liberty of *Europe*, and having traitorously enter'd into Conspiracies with the Ministers of *France*, for subverting the whole *Spanish* Monarchy to the House of *Bourbon*, and designing most maliciously the utter Ruin and Destruction of the ancient Rights, Liberties, and Privileges of the *Catalans*, who had made so glorious a Stand for the Preservation of them, did, together with other false and evil Counsellors, form a most dishonourable, wicked, and cruel Contrivance, not only for abandoning the *Catalans* to the Fury and Revenge of the Duke of *Anjou*, and his Adherents, but for the final Extirpation of all their Rights, Liberties, and Privileges: And in Execution of that his Intention, during the private, separate, and pernicious Negotiation of Peace, which was carry'd on between him and the Ministers of *France*, and before any Negotiation of Peace was set on Foot, in due Form of Law, between the Crowns of *Great Britain* and *Spain*, did advise her Majesty to give Directions to the Lord *Lexington*, her Ambassador to the Court of *Spain*

acknowledge

and wth regard to the Duke of Anjou King of Spain; but was
 in his Duty to her Majesty, in not ad-
 vancing her Secret Instructions to her said Minister, at
 in this, peremptorily and absolutely to insist on
 the Catalan Liberties at the Conclusion of the
 and altho' the private, separate, and treacherous
 Practices of him the said Robert Earl of Oxford and Earl
 Mortimer, and others in Combination with the Ministers
 of France, did afterwards, on or about the 18th of March,
 1712, necessitate his present Imperial Majesty to conclude
 a Treaty for the evacuating Catalonia, (whereof her Ma-
 jesty was Guarantee) without any express and positive Sci-
 tation for the Catalan Liberties, (his Imperial Majesty
 relying, in that Respect, on her Majesty's Declaration, to
 interpose for them in the most effectual Manner, and on
 the Promises of the French King to join his Endeavours
 for the same Purpose) And altho' her Sacred Majesty did,
 both before and after, frequently declare to her Ministers
 in Spain, that she thought herself under the strongest
 Ties of Honour and Conscience, not to abandon a People,
 whom the Necessity of the War had oblig'd her to draw
 into her Interest. And tho' the French King did not join
 his Endeavours for the Purposes aforesaid, he the said
 Robert Earl of Oxford and Earl Mortimer, together with
 other false and wicked Counsellors, having from Time to
 Time amus'd and deceiv'd the distress'd Catalans, with
 groundless Hopes of her Majesty's effectual Interpositions
 in their Favour, and thereby engaging them in a more
 obstinate Defence of their Territories against the Duke of
 Anjou, was not only highly wanting in his Duty to her
 Majesty, by not doing what in him lay, as a faithful Mi-
 nister, to have prevented the Conclusion of the Treaty of
 Peace with Spain, till just and honourable Conditions were
 receiv'd for the Catalans, but did falsely, maliciously, and
 treacherously advise her Majesty to conclude a Peace with
 the King of Spain, without any Security for the ancient
 and just Rights, Liberties, and Privileges of that brave,
 but unhappy Nation; and did further advise her Majesty
 to send Sir James Wisbart, her Admiral, with a large
 Squadron of Men of War, at a great Expence, to favour
 the King of Spain in the Siege of Barcelona, the Capital
 City of Catalonia, and with express Instructions, that, in
 Case the Inhabitants of Majorca, should refuse the Terms
 that should be offer'd them by the Duke of Anjou, to em-
 ploy his Squadron in countenancing and assisting all At-
 tempts that might be made for reducing them to a due
 Obedience.

Obedience. By which most vile and execrable Counsels, her sacred Majesty, contrary to her pious and religious Faith of Nations, and the Duties of Religion, and her own Majesty itself, and contrary to her most solemn Oaths, was prevail'd on to abandon a distressed People, and engag'd by her own Invitation, into a Confederacy with the Duke of Anjou, for the Preservation of the Liberties of Europe, and the Commerce of Great Britain, and the Persons, Estates, Dignities, Honours, Liberties, and Privileges of the Catalans, were given up as a Sacrifice to the implacable Resentment of their enraged and powerful Enemy; and the Honour of the British Nation, always renown'd for the Love of Liberty, and for giving Protection to the distressed Assertors of it, was most basely prostituted, and a free and generous People, the faithful and useful Allies of this Kingdom, were betray'd, in the most unparallel'd Manner, into irrecoverable Slavery. And in Consequence of which most dishonourable and perfidious Counsels, the most execrable Hostilities, Burnings and Plunderings were committed upon them throughout the whole Province, without sparing the Effusion of innocent Blood, and without the Distinction of Age or Sex; and that unfortunate People were afterwards forc'd to undergo the utmost Miseries of a Siege, in their Capital City of Barcelona, during which, great Multitudes of them perish'd by Famine and the Sword; many of them have since been executed; and great Numbers of the Nobility of Catalonia, who for their Constancy and Bravery, in Defence of their Liberties, and for their Services in Conjunction with her Majesty, and her Allies, had, in all Honour, Justice, and Conscience, the highest Claim to her Majesty's Protection, are now dispers'd in Dungeons, throughout the Spanish Dominions; and not only the Catalan Liberties extirpated, but, by those wicked Counsels of him the said Robert Earl of Oxford and Earl Mortimer, Catalonia itself is almost become desolate.

All which Crimes and Misdemeanors were committed and done by him the said Earl against our Sovereign Lady the Queen, her Crown, and Dignity, the Peace and Interest of this Kingdom, and in Breach of the several Trusts repos'd in him the said Earl.

And he the said Earl of Oxford and Earl Mortimer was one of the Commissioners of the Treasury, or Lord High Treasurer of Great Britain, and one of her Majesty's Privy Council, during the Time that all and eve-

by the Crimes before set forth were done and committed.

For which Matters and Things, the Knights, Citizens, and Burgesses of the House of Commons in Parliament assembled, in the Name of themselves, and of all the People of Great Britain, impeach the said Robert Earl of Oxford and Earl Mortimer of High Treason, and other High Crimes and Misdemeanours in the said Articles contained in the said Commons by Protestation saving to themselves the Liberty of exhibiting at any Time hereafter, any other Accusations or Impeachments against the said Earl, and also of replying to the Answers which the said Robert Earl of Oxford and Earl Mortimer shall make to the Premises, or any of them, or to any Impeachment or Accusation that shall be by them exhibited, according to the Course and Proceedings of Parliament, do pray, that the said Robert Earl of Oxford and Earl Mortimer, be put to answer all and every the Premises; and that such Proceedings, Examinations, Trials, and Judgments may be upon them, and every of them had and used, as shall be agreeable to Law and Justice. And they do further pray and demand, that the said Robert Earl of Oxford and Earl Mortimer may be sequester'd from Parliament, and forthwith committed to safe Custody.

Aug. 2. The Commons order'd the Thanks of their House to be given to Dr. Linford, for the Sermon by him preach'd the Day before at St. Margaret's, Westminster, before the House. Then the engross'd Bill from the Lords, entituled, *An Act for making more effectual her late Majesty's gracious Intentions for augmenting the Maintenance of the poor Clergy*, was read the third Time, and resolv'd, That the Bill with the Amendments do pass. The same Day the King went to the House of Peers, and the Commons being sent for and attending, his Majesty gave the Royal Assent to the following Bills.

An Act for the better preventing Mutiny and Desertion, by enforcing, and making more effectual an Act of this present Parliament, entituled, An Act for the better regulating the Forces to be continu'd in his Majesty's Service, and for the Payment of the said Forces and their Quarters.

An Act for making more effectual her late Majesty's gracious Intentions for augmenting the Maintenance of the poor Clergy.

An Act to restrain all Waggoners, Carriers and others, from drawing any Carriage with more than five Horses in Length. And to three private Bills.

On the 3d of August, the Commons, ^{as they went} into a Committee of the whole House upon ^{the Bill for en-} *larging the Fund of the Bank of England,* ^{and for} *that* it be an Instruction to the said Committee, ^{that} *they* ^{may} *have* Power to receive a Clause for explaining ^{the Bill} *passed* in the twelfth Year of the ^{the Bill} *Reign* ^{of the late King} (of blessed Memory) for Payment of Debts ^{to her} *Servants, Tradesmen, and others,* so far as the said Act did relate, or was intended to relate, to the Debt which was owing by her Majesty for Works performed and Materials delivered for the Building at Blenheim, and was incurred within the time during which the said Building was carried on at her Majesty's Expence. After this, the Committee went through the said Bill, and made several Amendments to it, which, the next Day, were reported, agreed to, and the Bill order'd to be ingrossed.

On the 4th of August, Mr. Walpole from the Committee of Secrecy acquainted the House, that the Committee had in Obedience to the Commands of the House, prepared Articles of Impeachment of High Treason, and other High Crimes and Misdemeanours against Henry Viscount Bolingbroke; and that the Committee had commanded him, at the same Time, to acquaint the House, that they shall, in a short Time, have further Articles to lay before the House against the said Viscount; and that the Committee had directed him to report the Articles already prepared, to the House. Then Mr. Walpole read the said Articles in his Place, and afterwards delivered them at the Table where they were once read, and afterwards a second Time, Article by Article, and upon the Question severally put thereupon, agreed unto by the House; and order'd first, that the said Articles be ingrossed; 2dly, that a Clause be prepared, for saving Liberty to the Commons to exhibit any further Articles against the said Henry Viscount Bolingbroke; and that he may be sequestred from Parliament and committed to safe Custody.

On the 5th Mr. Secretary Stanhope acquainted the Commons, that their Address of the 17th of June last relating to the Coining of Halfpence and Farthings, having been presented to his Majesty, his Majesty was pleased graciously to answer, that when his Majesty shall think proper to give Order for Coining new Halfpence and Farthings, he will

take

Take Care that it be done in the most advantageous Manner for the Publick.

On the same Day, Mr. Walpole, from the Committee of Secrecy, presented the House, that the Committee had, in Obedience to the Commands of the House, prepared Articles of Impeachment of High Treason, and other High Crimes and Misdemeanours, against James Duke of Ormond, which they had directed him to report to the House. Then Mr. Walpole read the said Articles in his Place, and afterwards deliver'd them in at the Table, where they were once read; and afterwards a second Time, Article by Article. A Motion being made, and the Question put, that the House agree to the first Article, there arose a warm Debate, in which several remarkable Speeches were made. Among the rest, a Member said, that the Report of the Committee of Secrecy had begun to open his Eyes; and that the Duke of Ormond's Flight had fully convinc'd him, that the Heads of the Tory Party were a Set of Knaves and Villains, who design'd to have ruin'd their Country, and made it a Province of France. The Lord Stanhope eldest Son to the Earl of Chesterfield said, he never wou'd to spill the Blood of any of his Countrymen, much less the Blood of any Nobleman; but that he was perswaded, that the Safety of his Country required that Examples should be made of those who had betray'd it in so infamous a Manner. The Lord Finch, eldest Son to the Earl of Nottingham, spoke also on the same Side; and after some other Speeches, the first Article was agreed to by a Majority of 177 Voices against 78; and then the other Articles, upon the Question severally put thereupon, were also agreed unto by the House: After which it was order'd, 1st, that the said Articles be ingrossed; 2dly, that a Clause be prepared for saving Liberty to the Commons to exhibit any further Articles against the said James, Duke of Ormond, and that he may be sequester'd from Parliament, and committed to safe Custody.

August 6, the said ingrossed Articles, against Henry Viscount Bolingbroke, were read, after which it was order'd, 1st, That Mr. Walpole do carry the said Articles to the Lords; 2dly, That Mr. Walpole be directed (before he exhibits the said Articles to the Lords) to impeach Henry Viscount Bolingbroke to the Effect following, viz.

My Lords,

The Commons assembled in Parliament have receiv'd Information of divers traiterous Practices and Proceedings of a great Peer of this House, Henry Viscount Bolingbroke, who commanded me to impeach the said Henry Viscount Bolingbroke of High Treason, and other High Crimes and Misdemeanours. And I do here in their Names, and in the Names of the Commons of Great Britain, impeach the said Henry Viscount Bolingbroke of High Treason, and other High Crimes and Misdemeanours. I am further commanded by the House of Commons to pray and demand of your Lordships, that the said Henry Viscount Bolingbroke may be sequestred from Parliament, and forthwith committed to safe Custody.

Accordingly, the same Day, Mr. Walpole accompanied by a great many Members of the Commons, at the Bar of the House of Lords, impeached Henry Viscount Bolingbroke of High Treason, and other High Crimes and Misdemeanours; and deliver'd in the Articles of Impeachment against him; and did pray and demand that the said Viscount might be sequestred from Parliament; and forthwith committed to safe Custody.

When we first set about this Work, we propos'd to our selves to reduce the Whole into one Volume; but finding our Subject grow upon our Hands, and that the Relation would be imperfect if we confin'd our selves to so narrow a Compass, we are oblig'd to make two Volumes of this History; and therefore will here close the First, and begin the Second with the Article above mention'd.

The End of the First Volume.

A
T A B L E
OF THE

PRINCIPAL MATTERS

Contained in the

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